

518.6 24
6

THE
Depositions, Arguments and Judgment

IN THE
C A U S E
OF THE
CHURCH-WARDENS OF TREFDRAETH,
In the COUNTY of ANGLESEA,

AGAINST
Dr. B O W L E S;

ADJUDGED BY THE
WORSHIPFUL G. HAY, L.L.D. DEAN OF THE ARCHES:

INSTITUTED
To Remedy the GRIEVANCE of preferring Persons UNACQUAINTED with the
BRITISH LANGUAGE, to LIVINGS in WALES.

TO WHICH IS PREFIXED,
A N A D D R E S S
TO THE BISHOPS OF
HEREFORD, BANGOR, ST. DAVID'S, ASAPH, AND LLANDAFF.

PUBLISHED BY THE SOCIETY OF CYMMRODORION.

Kacaden
Cwn mudion ydynt heb fedru cyfarth.
Bugeiliaid ydynt ni fedrant ddeall. ESAY.

They are dumb Dogs that cannot bark,
They are Shepherds that cannot understand. ISAIAH.

L O N D O N:
PRINTED FOR WILLIAM HARRIS, N° 70, ST. PAUL'S CHURCH-YARD.
MDCCLXXIII.



T O

Sir WATKIN WILLIAMS WYNN, Bart.

THIS IS

D E D I C A T E D,

WITH ALL

ESTEEM AND RESPECT,

BY HIS

HUMBLE SERVANTS,

THE CYMMRODORION.

THE NEW YORK PUBLIC LIBRARY

ASTEN LENOX AND TILDEN FOUNDATIONS

500 FIFTH AVENUE NEW YORK 17, N. Y.

DATE

BY

FOR

RECEIVED

OF

THE

LIBRARY

OF

THE

NEW YORK

PUBLIC LIBRARY

ASTEN LENOX AND TILDEN FOUNDATIONS

500 FIFTH AVENUE NEW YORK 17, N. Y.

DATE

BY

FOR

RECEIVED

T O

THE RIGHT REVEREND FATHERS IN GOD,

THE BISHOPS OF

HEREFORD, BANGOR, ST. DAVID'S, ASAPH,
and LLANDAFF.

THIS publication is addressed to your lordships, as the spiritual guardians of the churches in Wales. The very important and momentous trust of the care of souls, committed to you (we hope) will render it no less acceptable than it is interesting to your lordships.

For the due execution of this charge, your lordships are not only accountable to the laws of your country, to your conscience, but to God himself. Every hint, therefore, conducive to that end, conveyed in gospel humility and meekness, at the same time with Christian sincerity and plainness, we trust, has a claim to your lordships attention.

The prosecution, (of which the subsequent sheets contain an account) was advised by a number of gentlemen, interested for the welfare of the principality. Divested of the remotest idea of oppressing an individual, (who was rather an object of their compassion) their sole view was to
establish

establish a precedent, and evince the illegality of a custom introduced by some of your lordships predecessors. We desire to record it to your honour, that the example has been reprobated as unchristian, by some of your lordships, and that intimations have been given that the evil should cease in your dioceses. Had we a prospect of the episcopal chair being always filled with persons of your sentiments and virtues, this prosecution would have proved unnecessary, and this address superfluous.

That several persons have been presented to livings in Wales that are totally unacquainted with the language used in that country, seems so very extraordinary a proposition, as scarce to be believed, were it not known to be true.

Were it related in the history of the Ottaheite Indians, that their priests were of a different country, and spoke a language totally different from the people, that they understood not a word of what each other said, the reader would throw away the book with indignation, as superlatively fabulous, concluding that no nation on earth could be so absurd. But when this may with truth be said to be the case in an enlightened Christian age and country; and that such persons have been presented by *bishops*, yea, *Protestant Christian bishops*, must not every one be struck with astonishment?

Are such people, Ye holy pastors of the flock of Christ! to expound the oracles of God; to make lively and deep impressions on the stony heart of man; to be the instruments of making them acquainted with the glorious truths contained in the gospel of Christ; to bring them from darkness unto marvellous light, from the power of satan unto God? Does religion consist in forms or ceremonies in a chaos of unintelligible sounds, or in the *work of heart-changing and soul-renewing grace*? As well may such a change of heart be effectuated by the chimes of Bow-bells, as under such a ministry.

As

As well may Harlequin mount the pulpit, and with dumb signs and gesticulations, or unintelligible jargon, amuse the prophane and irreligious, and fill the sensible and serious with horror and disgust. No less would such a representation shock your lordships, than the burlesque prophanation of divine institutions, described and sworn to in the subsequent depositions.

Your lordships will on this occasion, be struck with the force and application of that passage in *Isaiah*, so emphatically descriptive of a ministry totally incapable of performing their holy function. “ His
“ watchmen are blind, they are all ignorant, they are all *dumb dogs*, they
“ *cannot bark*, sleeping, lying down, loving to slumber. Yea, they are
“ greedy dogs, and can never have enough; and they are *shepherds that*
“ *cannot understand*, they all look to their own way, every one for his
“ own gain.*”

The following sheets were not only published with the view of preventing your lordships from granting institutions to any under the incapacity described (an incapacity of much greater importance than the inability of construing some lines in *Virgil*, or reading a verse in the Greek Testament, which is deemed a sufficient reason for refusal of holy orders) but likewise of pointing out to the clergy and public, other remedies, in case any bishops should be found hereafter so negligent of their holy function.

It is now judicially decided, that a want of knowledge of the language, is a *good cause* of refusal in the bishop. That if the bishop admit him, it is a good cause of refusal in the arch-deacon to induct him. And it is a proper cause for the church-wardens to enter a caveat against institution and induction. So that there are three remedies pointed out, either of which are effectual.

* Chap. lvi. verse 10, 11.

We need not enlarge to your lordships (who are ever attentive for the spiritual good of the people, whose precious and immortal souls are committed to your charge) upon the heinous and aggravated guilt of such neglect.

We are told that they who are the means of bringing many unto righteousness, shall be *as stars for ever and ever* in the kingdom of glory. What condemnation must await them in *another kingdom*, who are the means of making *many unrighteous* through the neglect of religious duties?

Such presentations are so impious and absurd, that common sense revolts at the idea, and religion is shocked at it. We therefore call upon your lordships, as you value your own souls, and the souls of those committed to your charge, whose blood (if the expression may be used) will be required at your hands in the great day of the Lord, not to suffer a practice disgraceful even to Heathenism in a Christian country, under your lordships immediate care. We are (praying that your lordships may abound in the knowledge of our Lord Jesus Christ, in spiritual edification for the salvation of souls, and the influences of the Holy Spirit.)

Your servants in Christian love,

THE CYMMRODORION.

T H E

T H E

DEPOSITIONS, ARGUMENTS, &c.

EXTRACTED FROM THE

Registry of the ARCHES-COURT of CANTERBURY.

11th MAY, 1770.

The Office of the Judge promoted by Williams and others against Bowles.	}	On the Articles given by Bargrave on behalf of Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters.
BARGRAVE.	}	STEVENS.

RICHARD WILLIAMS, of Treddafydd, in the parish of Trefdraeth, in the county of Anglesey, farmer, aged fifty-six years and upwards, a witness produced, sworn and examined, by the interpretation of Richard Morris, Esq; who has also been duly sworn to interpret faithfully.

To the first, second and third articles, of the said articles, heretofore given in and admitted in this cause, on the part and behalf of the said Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters of the office of the judge in this behalf, this deponent saith, That he hath read the twenty-fourth article of the articles agreed upon by the archbishops and bishops of both provinces, and the whole clergy in convocation, holden in London, in the year one thousand five hundred and sixty-two, for the avoiding diversities of opinions, and for the establishing consent touching true religion: and also, An act of parliament passed in the fifth year of the reign of her late majesty queen Elizabeth, entitled, An act for translating the Bible and the Divine Service into the Welsh tongue; as also, An act of parliament passed in the thirteenth and fourteenth years of the reign of his late majesty king Charles II. entitled, An act for the uniformity of public prayers and administration of sacraments and other rites and ceremonies, and for establishing the form of making, ordaining and consecrating bishops, priests and deacons in the

church of England: all which articles and acts of parliament are inserted in the book of Common Prayer or Liturgy of the church of England, in the Welch language, commonly used in Wales, and now in the deponent's possession; and therefore he doth verily and in his conscience believe, that the contents of the said first, second and third articles are true, and refers himself to the said articles of religion and acts of parliament therein pleaded, and further he cannot depose.

To the fourth, sixth and seventh articles, this deponent saith, That in or about the months of April or May, one thousand seven hundred and sixty six, the right reverend Father in God, John, by divine permission, lord bishop of Bangor, did confer on the reverend Thomas Bowles, doctor in divinity, the rectory of the parish and parish church of Trefdraeth, together with the chapelry of Llangwyfan annexed thereto, and which are always held and enjoyed by one and the same incumbent, and are both in the county of Anglesey: that such rectory was then void by the death of the reverend Robert Lewis Clerk the last rector and incumbent thereof, and that the said Thomas Bowles, whom the deponent hath known from that time, was then or soon after, as he verily believes, inducted into the real, actual and corporal possession of the said rectory, with all and singular the rights, members and appurtenances thereto belonging, and hath ever since been in possession thereof, and held and enjoyed, and doth now hold and enjoy the same, and hath from time to time received, and doth now continue to receive the fruits, tythes, profits and emoluments of and belonging to the said rectory and parish church of Trefdraeth, he, the deponent, having regularly paid him the usual tythes for his farm in that parish as rector thereof; and for and as rector of the said rectory, he, the said Thomas Bowles, hath ever since been, and now is commonly accounted, reputed and taken by the several parishioners and inhabitants of the said parishes; and further he cannot depose.

To the eighth, ninth and tenth articles, this deponent saith, That he hath been an inhabitant and parishioner of the said parish of Trefdraeth, for near twenty-six years past; that he knows the producents in this cause, and hath known them for many years past; that they were late church-wardens of the said parish of Trefdraeth, and chapelry of Llangwyfan; that the said reverend Thomas Bowles hath but very seldom performed divine service in the said parish church of Trefdraeth; that the deponent hath been present two or three times when he so performed the same; that the first Sunday he officiated in the said church, as rector of the said rectory, he read or performed divine service in the English language, and brought one Robert Edwards of Llandagfan with him to give the necessary answers in the different parts of the service, as the greatest part of the inhabitants and parishioners who composed the congregation that Sunday, of whom
the

the deponent was one, did not, as he verily believes, understand a single word that was said, being totally unacquainted with the English language; and on the same Sunday the said Thomas Bowles also read the articles and declarations of the Christian faith in the English language: that he soon afterwards, on a Sunday, preached a sermon in the said parish church in the English language, when the deponent was present, the text to which sermon the said Thomas Bowles attempted to give out in the Welsh language, but both the sermon in the English, and the text in the Welsh language were totally unintelligible to the whole congregation; and he is certain the said Thomas Bowles understood so little of the Welsh language, that no one could understand the purport of what he said, or attempted to say, on that occasion; that the said Thomas Bowles one Sunday afterwards attended in the parish church of Trefdraeth, to perform divine service, when he attempted to read the ten commandments, and the rest of the communion service in the Welsh language, but was obliged to desist before he got through it, being unable himself either to go farther, or the congregation to understand what he read; that he afterwards attempted to administer the sacrament to such of the parishioners as chose to attend; that a great number of them attended accordingly, among whom was the deponent, but the said Thomas Bowles could not then make himself understood to any of the communicants, and so ridiculous was the attempt, that many of them burst out into a loud laughter, whilst others were holding their hands before their mouths, to prevent the like irregularities on so solemn an occasion; that the said Thomas Bowles hath not, since the last mentioned attempt to administer the sacrament, ever performed or attempted to perform divine service, in the said parish church, either in the Welsh or English languages, though he now and then attends the church, but the service is performed by a curate in the Welsh language; that the British or Welsh tongue, and not any other tongue or language, is commonly spoken or used within the said parish of Trefdraeth and chapelry of Llangwyfan, and the said Thomas Bowles is totally unable to perform divine service in that language or tongue; that he doth believe, a very inconsiderable part of the inhabitants of the said parish of Trefdraeth and chapelry of Llangwyfan, understand the English language; that such parishes are very populous, and contain upon a moderate computation five hundred souls, and the congregations in general on Sundays, at the parish church of Trefdraeth, consist of between two and three hundred souls; that he doth verily and in his conscience believe, there is not a single person in that parish who can speak the English language, or who understands any discourse delivered in that language, except Charles Evans, of Trefeiler, Esq; and his family, which consists of five or six persons, and a daughter of the late curate of that parish; that the said Hugh Owens, John Owens, and Hugh Williams, three of the promoters in this cause, understood a few words in the English language, but not sufficient to comprehend the meaning of any discourse

in the church, or elsewhere; and that Rowland Pritchard, the other promoter, doth not, as he verily believes, understand any English whatever, and further he cannot depose.

The same witness, upon interrogatories admitted on behalf of the reverend Thomas Bowles, doctor in divinity.

To the first interrogatory this deponent answers, That he is a parishioner and inhabitant of the parish of Trefdraeth, in the county of Anglesea, as by him before mentioned; that he hath lived or resided in the said parish for about twenty-six years, and is about fifty-six years of age, and holds two farms in that parish.

To the second, That he knows Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters in this cause, and hath known them for many years past; that the said Hugh Williams and Rowland Pritchard, were church-wardens of the said parish of Trefdraeth, for part of the years one thousand seven hundred and sixty-eight, and one thousand seven hundred and sixty-nine; that the said Rowland Pritchard was appointed church-warden about Easter, one thousand seven hundred and sixty-seven, and continued till about Easter, one thousand seven hundred and sixty-nine; and Hugh Williams was appointed about Easter, one thousand seven hundred and sixty-eight, and has continued to this present time; that he is uncertain whether Williams has yet quitted his office, but he knows there is another chosen in his stead, though he cannot say whether he has been as yet sworn in; that Hugh Owens, and John Owens were, as he believes, church-wardens of the parish or chapelry of Llangwyfan, in the said years one thousand seven hundred and sixty-eight, and one thousand seven hundred and sixty-nine, or for some part thereof, but whether they are still church-wardens of the said parish, he cannot say; that Llangwyfan is, as he believes, a chapelry belonging to the parish of Trefdraeth, and is always held or enjoyed by the same rector.

To the third, That he believes the said promoters are voluntary promoters in this cause; that he believes they have been instructed in the method of commencing this suit, and encouraged thereto by some gentlemen, but by whom he cannot say; that he doth not believe Charles Evans, Esq; who is a parishioner of Trefdraeth aforesaid, is the instigator or principal abetter of this suit, but believes the cause is supported by all or most of the gentlemen in Wales; that the said Charles Evans, Esq; hath, as he has been informed, had some difference with doctor Bowles, touching his tythes within the said parish.

To the fourth, That he knows doctor Thomas Bowles, rector of Trefdraeth aforesaid; that he hath known him from the time he became rector thereof, which

is

is about four years since; that he hath been informed the said Thomas Bowles was seventy-two years of age when he was appointed to such rectory, and is now about seventy-six years of age; that the said Thomas Bowles is, as he believes, a pretty healthy man considering his great age; that he hath left off riding on horseback, though he can walk pretty well.

To the fifth, That as before by him set forth, the parish of Trefdraeth is a large extensive populous parish; that Llangwyfan is, as he believes, a chapelry within the said parish of Trefdraeth, but usually called the parish of Llangwyfan; that there is not any other chapelry within the said parish church of Trefdraeth, and that he believes the parish church of Trefdraeth is about a mile distant from the parsonage-house, and the chapel of the chapelry of Llangwyfan, is about four miles distant from the church at Trefdraeth.

To the sixth, That there are not in the whole parish of Trefdraeth aforesaid, more than Charles Evans, Esq; and his family, and an old woman the daughter of a clergyman, who was formerly curate of the said parish, that can speak and understand the English language, or who could transact business in such language, though there may be a few other persons in the parish, who can speak or understand some few particular words in that language.

To the seventh, That he heard and believes, that one Hugh Hughes translated an English sermon into the Welsh language, for the said doctor Thomas Bowles, for which he paid the said Hugh Hughes half a guinea; that when the said Hugh Hughes was going with the said sermon to the said doctor Bowles, he called at the respondent's house, and shewed it to the respondent, and afterwards carried the same to the said doctor Bowles, and then returned to the respondent's house, where he stayed all night, but the respondent is certain the said doctor Bowles never preached the same, nor any other sermon in the Welsh language, either on Sunday the 30th day of October, one thousand seven hundred and sixty-eight, or at any other time; that he believes the said doctor Bowles attempted to read some part of the Psalms in the Welsh language on that day, but he read them in a manner unintelligible to the whole congregation, as the respondent believes, for though some few words were understood by the respondent, yet not sufficient to understand the general meaning of what he so read or delivered.

To the eighth, That on Sunday the 2d day of April, one thousand seven hundred and sixty-nine, the said doctor Thomas Bowles officiated, as he believes, at the said parish church of Trefdraeth; that he read the Collect, Lord's Prayer, and Ten Commandments, with the Epistle and Gospel, in the Welsh language; that the respondent sat very near him, and having the Book of Common Prayer in the Welsh language in his hand, he looked
over

over those parts of the service as the doctor read them, and could distinguish how he proceeded, and with the assistance of the book understand what was read, as did many others, he believes, in the same situation; but that the rest who were not provided with books, could only, as he believes, understand but very little that was said or read, as the respondent is certain he could not have understood much without the book.

To the ninth, That he was not present at the baptism of the son of Robert and Ann Tyrer, of Trefdraeth, nor doth he know whether doctor Bowles performed the ceremony, or in what language the same was performed.

To the tenth, That the church and chapel within the parish of Trefdraeth, have during the time doctor Bowles hath been incumbent there, been supplied with curates, who perform divine service in the Welsh language.

To the eleventh, That the respondent did in or about the month of October one thousand seven hundred and sixty-eight, sign a certificate at the desire and request of doctor Bowles, the contents of which he was then totally unacquainted with, that the doctor told him there could be no harm in signing it, and the deponent being shewn the name of Hugh Williams, then church-warden of the said parish, which was signed or subscribed thereto, he the respondent, thereupon, without reading over, or knowing any thing of the contents of such certificate, signed his name thereto, upon a supposition that as Hugh Williams had signed it, there could no harm arise from the respondent's doing the same; that the respondent now carefully viewing and inspecting the certificate marked with the letter A, to the said interrogatories annexed, he says, that the name Richard Williams thereto subscribed, is of his the respondent's own proper handwriting and subscription; that he did not see Arthur Lewis and Hugh Williams, or either of them whose names are also subscribed to the said certificate, sign the same, such names appearing thereto when the respondent signed it as aforesaid; that he knows the said Arthur Lewis and Hugh Williams; that Arthur Lewis is the son-in-law of doctor Bowles; that he does not remember to have ever seen the said Arthur Lewis write, neither is he acquainted with his manner or character of handwriting; that he hath seen the said Hugh Williams write, and subscribe his name, and doth verily believe the name Hugh Williams subscribed to the said certificate marked A, is of his the said Hugh Williams's own proper handwriting, who is one of the promoters in this cause, and was, at the time the said certificate bears date, one of the church-wardens of the parish of Trefdraeth aforesaid; that as soon as the respondent heard of the nature and contents of such certificate marked A, which was about the time this suit was commenced, he was exceedingly uneasy about it, and went several times to doctor

Bowles's

Bowles's house, and desired to see such certificate, and to have his name taken out of it; that Mrs. Bowles one time told him he should see it, and she would read it to him, but he should not touch it; that she accordingly produced the same, and read it to him; that the respondent told the doctor he would give a guinea, or from that to five guineas, to have his name taken out, and that had he known the contents he would never have signed his name thereto; that he afterwards with tears in his eyes requested Mrs. Bowles to let him take his name out of such certificate, but she declared if he would give a hundred pounds he should not do it; that the respondent was never so much ashamed of any action in his life, as he was of having so inadvertently signed such certificate; and the respondent has also been informed, that Hugh Williams was drawn in by false pretences to sign such certificate, or rather to put his name to a sheet of blank paper, over which such certificate was afterwards wrote in manner it now appears; of all which circumstances the said Hugh Williams hath since made an affidavit.

To the twelfth, That he doth not know at whose expence this cause or prosecution is carried on against the said doctor Bowles; that he hath heard the society called Cymmrodorions gave their directions and assistance in commencing, and still do assist in advising in this cause, and that most of the gentlemen in Wales give their assistance likewise; that Richard Morris, Esq; the interpreter on this occasion is, as he believes and hath been informed, one of the members of the said society; that the respondent is not one of that society, nor hath he engaged or promised to pay any thing towards the expence of this cause, neither was he ever applied to for any such purpose, and farther this deponent cannot answer.

The same day, repeated and acknowledged before

Dr. Ducarel, Surrogate;

Present James Hefeltine, Notary Public,

by the interpretation of Richard Morris.

RICHARD WILLIAMS.

The

12th MAY, 1770.

The Office of the Judge promoted by
Williams and others against Bowles.

On the Articles aforesaid, given by
Bargrave.

BARGRAVE.

STEVENS.

JOHN THOMAS, of Tany Lan, in the parish of Trefdraeth, in the county of Anglesey, farmer, aged thirty-three years, a witness produced, sworn and examined, by the interpretation of Richard Morris, Esq; who has also been duly sworn to interpret faithfully.

To the first, second and third articles, of the said articles, heretofore given in and admitted in this cause, on the part and behalf of Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters of the office of the judge in this behalf, this deponent saith, That he hath resided in the said parish about eleven years past, that he knows the promoters abovementioned, that Hugh Williams and Rowland Pritchard are parishioners of the said parish of Trefdraeth, and were church-wardens thereof; and that Hugh Owens and John Owens are parishioners of the parish of Llangwyfan, which is annexed to the said parish of Trefdraeth, of which parish the reverend Thomas Bowles, doctor in divinity, the other party in this cause, is minister, and is always as abovementioned annexed to the said parish of Trefdraeth, that with respect to the articles of religion and acts of parliament in the said first, second and third articles mentioned, he refers himself to the laws in that behalf made and provided, and further he cannot depose.

To the fourth, sixth and seventh articles, this deponent saith, That about four years since, as he now best recollects as to the time, the right reverend Father in God, John, by divine permission, lord bishop of Bangor, did confer on the said doctor Thomas Bowles the rectory of the parish and parish church of Trefdraeth aforesaid, then void by the death of the reverend Robert Lewis, Clerk, the last rector and incumbent thereof, and as he believes belonging to the donation or collation of the said lord bishop, who then also, as the deponent believes, did canonically institute him the said Thomas Bowles, rector of the said rectory and parish church, and did invest him with all and singular the rights, members and appurtenances thereunto belonging, and the deponent was present in the said parish church when the said Thomas Bowles took possession thereof, and was lawfully inducted

inducted into the real, actual and corporal possession of the said rectory and parish church of Trefdraeth aforesaid, with all and singular the rights, members and appurtenances thereunto belonging, and he the said Thomas Bowles hath been in the actual possession thereof, and hath held and enjoyed the same ever since, and doth still hold and enjoy the same, and hath from time to time, and still doth continue to receive the fruits, tythes, profits and emoluments of and belonging to the said rectory and parish church; and for and as rector thereof, he, the said Thomas Bowles hath ever since, and now is commonly accounted reputed, and taken by the parishioners and inhabitants of the said parish, and others, and farther he cannot depose.

To the eighth, ninth and tenth articles, this deponent saith, That he believes the said Thomas Bowles hath performed divine service in the said parish church a very few times, that he, the deponent, once heard him preach a sermon therein, in the English language, which the deponent did not understand; that he hath been informed the said Thomas Bowles attempted twice to perform divine service in the said parish church, in the Welsh language, which service was unintelligible to the whole, or much the greatest part of the congregation; that the British or Welsh tongue, and not any other tongue or language, is commonly spoken or used within the said parish, and that he doth verily and in his conscience believe the said Thomas Bowles is totally unable to perform divine service in the said church in the British or Welsh language; that he believes Charles Evans, Esq; of Trefeiler, his wife and two servants, and one Jane Hughes, understand the English language sufficiently to comprehend the meaning of any discourse whatever, but doth not believe there is one other person, inhabitant of the said parish, who understands the English language well enough to comprehend or understand the meaning of any discourse in that language; that he doth verily believe the two united parishes of Trefdraeth and Llangwyfan aforesaid, contain together upwards of five hundred souls, and that the congregation, at the parish church of Trefdraeth to hear divine service each Sunday, amounts to about two hundred souls or upwards; that he doth not believe the promoters of this cause, or any or either of them, can speak or comprehend any discourse spoken or delivered in the English language; that this deponent once heard the said Thomas Bowles attempt to give out the text to his sermon in the Welsh language, but such language was to the deponent quite unintelligible, and as he believes to every other person then present, except Charles Evans, Esq; and his family, and farther he cannot depose.

The same witness, upon interrogatories administered on behalf of the
reverend Thomas Bowles, doctor in divinity,

To the first interrogatory this respondent answers, That he is thirty-three years of age and upwards; that he is a parishioner and inhabitant of the parish of Trefdraeth, in the county of Anglesea, in which parish he hath resided for upwards of ten years past.

To the second, That he knows Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters in this cause; that the said Rowland Pritchard and Hugh Williams were church-wardens of the parish of Trefdraeth, for part of the years one thousand seven hundred and sixty-eight, and one thousand seven hundred and sixty-nine; that Pritchard was appointed to that office about Easter, one thousand seven hundred and sixty-seven, and continued till about Easter one thousand seven hundred and sixty-nine; and Hugh Williams was appointed about Easter one thousand seven hundred and sixty-eight, and is out of office about this present time, as each church-warden is continued in office two years; that he doth not know whether Hugh Owens or John Owens were either of them church-wardens in the said years one thousand seven hundred and sixty-eight, or one thousand seven hundred and sixty-nine, but hath heard they were church-wardens in those years for the parish of Llangwyfan, annexed to the said parish of Trefdraeth.

To the third, That he believes the said promoters in this cause are voluntary promoters thereof; that he doth not believe they are instigated thereto by Charles Evans, Esq; that the said Charles Evans is a parishioner and inhabitant of Trefdraeth aforesaid, and that the said Charles Evans, Esq; hath had some difference with doctor Bowles, the rector of the said parish, touching his tythes therein.

To the fourth, That he knows doctor Thomas Bowles, the rector of Trefdraeth aforesaid; that he hath known him since the time he became rector of that parish, which was about four years ago; that he believes he is upwards of seventy years of age; that he believes he is a hearty strong man of his age, and can walk very well; that he hath heard the said doctor Bowles is afraid to ride, on account of a fall from a horse, which he received some time since.

To the fifth, That the parish of Trefdraeth is a large extensive parish, and very populous; that he doth not know of any chapelries therein; that the parish of Llangwyfan is annexed thereto, and always held by the same incumbent; that Llangwyfan church is about four miles from the parsonage house of Trefdraeth, and that the parish church of Trefdraeth is about a mile from the parsonage-house.

To

To the sixth, That there are not any inhabitants or parishioners of the said parish of Trefdraeth, who speak or understand the English language, sufficiently to transact business at markets, fairs, or on other occasions, except the said Charles Evans, Esq; and his wife, two maid servants, and one Jane Hughes, the daughter of one Mr. Hughes, deceased, formerly curate of the said parish.

To the seventh, That he never heard the said doctor Bowles preach or attempt to preach a sermon in the Welsh language; that he once heard him read the service and preach in the English language, and was told afterwards by some others of the congregation, that he attempted to give out the text in the Welsh language, but the respondent could only understand a word now and then, and believes he understands as much English as any of the congregation then present, and is certain the principal part of the congregation did not understand one word of English.

To the eighth, That he doth not know whether the reverend doctor Bowles performed divine service in the parish church of Trefdraeth, on the 2d day of April, one thousand seven hundred and sixty-nine, or whether such service was performed in the Welsh language, as the respondent was not present, nor did he ever hear any thing of the matter as he now remembers.

To the ninth, That he was not present at the baptism of the son of Robert and Ann Tyrer, in the parish of Trefdraeth, that he does not know who performed the ceremony, or in what language it was performed.

To the tenth, That the parish church of Trefdraeth hath, during the time the said doctor Bowles hath been incumbent thereof, been supplied with a curate, who officiates and performs divine service in the Welsh language.

To the eleventh, That he never signed a certificate of the said doctor Bowles's having officiated and performed divine service in the parish church of Trefdraeth, in the Welsh language; that the respondent now looking upon the certificate marked A, saith, he doth not know any thing of the respective signatures thereto, as he never saw Arthur Lewis of Achley, Hugh Williams, or Richard Williams, or any of them write, but the respondent verily believes the said Arthur Lewis is doctor Bowles's son-in-law, and that Hugh Williams is, or was lately, church-warden of Trefdraeth, and that Richard Williams is one of the respondent's fellow-witnesses, and he hath been informed such signatures to the said certificate are of the respective proper handwriting and subscription of the said Arthur Lewis, Hugh Williams, and Richard Williams, but hath also been informed, and verily believes, the said signatures to the said certificate were, so far as relates to Hugh Williams

and Richard Williams, obtained by fraud and imposition, and that Richard Williams signed the same without being at all acquainted with its contents, and that doctor Bowles obtained Hugh Williams's signature by a stratagem, in the manner following, as the said Hugh Williams informed the respondent: The said Hugh Williams is by trade a shoemaker, and doctor Bowles went to him to bespeak a pair of shoes, at which time he asked the said Hugh Williams what his name was, and producing a sheet of white paper, without any writing upon it whatsoever, desired the said Hugh Williams to write his name upon it, in order that he might know his name properly, in case he should want it; that the said Hugh Williams accordingly wrote his name upon such sheet of paper, and delivered it to doctor Bowles; that the said Hugh Williams was afterwards informed, that he had signed a certificate of doctor Bowles's having performed divine service in the Welsh language, which alarmed him very much, and knowing he had not signed any paper for doctor Bowles, except as before mentioned, he, the said Hugh Williams, went before a justice of the peace and made an affidavit of the whole transaction; and such certificate has been the general talk of the whole parish ever since.

To the twelfth, That he does not know at whose expence this cause or prosecution is carried on against doctor Bowles; that he hath heard, many of the gentlemen in Wales advise and assist in carrying it on, particularly, Sir Watkin Williams Wynn, baronet; that he doth not believe such cause or prosecution is carried on by the society of Cymmrodorions, though he hath been informed some of the members of that society have, and still do give their advice therein; that Richard Morris, Esq; the interpreter on this occasion, is one of the members of such society; that the respondent is not one of the members thereof, neither is he under any promise or engagement to bear or pay any part of the expence thereof, nor was he ever applied to for that purpose, and farther to the said articles he cannot answer.

The same day, repeated and acknowledged before

Doctor Ducarel, Surrogate.

Present, James Hefeltine, Notary Public,

by the interpretation of Richard Morris.

JOHN THOMAS.

The

14th MAY, 1772.

The Office of the Judge promoted by Williams and others against Bowles.	} On the Articles aforesaid, given by Bargrave.
BARGRAVE. STEVENS.	

HENRY JONES, of the parish of Trefdraeth, in the county of Anglesea, farmer, aged fifty-eight years and upwards, a witness produced, sworn and examined, by the interpretation of Richard Morris, Esq; who has been duly sworn to interpret faithfully.

To the first, second, and third articles, of the said allegation, heretofore given in and admitted in this cause, on the part and behalf of Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters of the office of the judge in this cause, this deponent saith, That with respect to the articles of religion and acts of parliament therein pleaded, he refers to the laws in that behalf made and provided, and farther to the said articles he cannot depose.

To the fourth, sixth and seventh articles, he saith, That he hath been an inhabitant and parishioner of the said parish of Trefdraeth, for about eighteen years past, that he knows the several promoters before mentioned, and hath known them many years, that Hugh Williams is one of the present church-wardens of the said parish of Trefdraeth, and Rowland Pritchard was, at the time of commencing this suit, the other church-warden thereof, and that Hugh Owens and John Owens were, at the commencement of this suit, church-wardens of the parish of Llangwyfan, annexed to the said parish of Trefdraeth; that he knows the reverend Thomas Bowles, doctor in divinity, the other party in this cause, and hath known him for about four years past, from the time he was appointed rector of the rectory and parish church of Trefdraeth aforesaid; that he hath heard such rectory is in the gift of the bishop of Bangor, and that the late bishop of that diocese did confer the said rectory of the parish and parish church of Trefdraeth aforesaid, in the county of Anglesea, on the said reverend Thomas Bowles, it being then void by the death of the reverend Robert Lewis, Clerk, the last rector and incumbent thereof, that the said Thomas Bowles was, as the deponent verily believes, duly and lawfully inducted into the real, actual, and corporal possession of the said rectory of the parish and parish church of Trefdraeth aforesaid, with all and singular the rights, mem-
bers.

bers and appurtenances thereunto belonging, and hath ever since been in possession thereof, and held and enjoyed, and doth now hold and enjoy the same, and hath from time to time received, and doth now continue to receive the fruits, tythes, profits and emoluments of and belonging to the said rectory and parish church; and for and as rector thereof, he, the said Thomas Bowles hath ever since been, and now is commonly accounted, reputed and taken by the parishioners and inhabitants of the said parish, and the deponent hath, as rector thereof, constantly paid him tythes for his farm, and farther to the said articles he cannot depose.

To the eighth, ninth and tenth articles, this deponent saith, That he believes the said reverend Thomas Bowles never performed divine service in the said parish church more than three times, that one of the times of his so performing the same the deponent was present, but such service being, as he was informed, in the English language, he, the deponent, did not understand one single word he said; that he hath also been informed the said Thomas Bowles, on such Sunday, read the articles of religion, but if they were read, the whole was totally unintelligible to the deponent; that the deponent was present another time when the said Thomas Bowles attempted to read the communion service in the Welsh language, but the deponent could only understand a very few words he said, and the rest of the service was that day performed by the curate; that the deponent was also present the last time the said Thomas Bowles performed divine service in the said parish church of Trefdraeth, when he attempted to read some part of the psalms in the Welsh language, of which the deponent understood only a very few words, and he believes that once the said Thomas Bowles endeavored to give out the text to his sermon in the Welsh language, but could not, as he believes, make it intelligible to any of the congregation, particularly the deponent did not understand one single word he said, either in such text or in the sermon he preached, which was preached, as he believes, in the English language; that the deponent was also present when the said Thomas Bowles gave the sacrament to five or six persons, but was obliged to desist, as he was unable to speak the Welsh language so as to make himself intelligible to any one then present, at which many people were very uneasy, whilst others laughed at and ridiculed him the said Thomas Bowles; that the deponent never heard divine service performed, or attempted to be performed, in any other than the British or Welsh language, before he heard the said Thomas Bowles perform it in a language totally unintelligible to him as before-mentioned; that the British or Welsh tongue, and not any other tongue or language, is commonly spoken or used within the said parish of Trefdraeth, and that he doth verily believe that the said Thomas Bowles is utterly unable to perform divine service in the said British or Welsh tongue; that he doth verily and in his conscience believe, there are only Charles Evans, Esq; his wife and two or
three

three servants, with one Jane Hughes, in the whole parish, who understand the English language sufficiently to comprehend the meaning of any discourse delivered in such language; that he, the deponent, doth not understand one word of English, neither doth he believe the promoters, or any of them, understand more than a few words thereof, and farther he cannot depose.

The same witness, upon interrogatories administered on behalf of doctor Bowles.

To the first interrogatory this respondent answers, That he is fifty-eight years of age; that he is a parishioner of the parish of Trefdraeth, in the county of Anglesea, and hath so been for eighteen years past.

To the second, That he knows Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters in this cause; that the said Hugh Williams and Rowland Pritchard were church-wardens of Trefdraeth, at the commencement of this cause; that Rowland Pritchard was out of his office about a year ago, and Williams is out about this time; that he believes Hugh Owens and John Owens were, at or about the same time, church-wardens of the parish of Llangwyfan.

To the third, That he believes the promoters in this cause are voluntary promoters; that *there was a general complaint throughout the parish about the time this suit was commenced against doctor Bowles*; that he doth not know whether Charles Evans, Esq; has stirred the promoters up or instigated them to commence this prosecution; that the said Charles Evans is a parishioner and inhabitant of Trefdraeth aforesaid, and hath heard there has been some difference between him and doctor Bowles relative to his tythes

To the fourth, That he knows doctor Thomas Bowles, the rector of Trefdraeth aforesaid; that he hath known him since the time he was appointed rector thereof, which was about four years ago; that he hath been informed the said doctor Bowles is about seventy-five years of age; that he is a hearty strong man of his age, as the respondent believes; that he had a fall from his horse some time since, and believes he hath not rode on horseback since that time.

To the fifth, That the parish of Trefdraeth is a large, extensive and populous parish; that he doth not know of any chapelries therein; that the parish of Llangwyfan is annexed thereto, and always held by the same rector; that Llangwyfan church is about four miles from the mother-church of Trefdraeth, and that the mother-church is about a mile distant from the parsonage-house.

To

To the sixth, That there are only about four or five people in the parish who speak or understand the English language, so as to be able to transact and do business in such language at fairs, markets, or on other occasions.

To the seventh and eighth, That he never heard the said doctor Bowles attempt to perform divine service in the Welsh language, except twice, that at one of those times he heard him read the psalms of the day in that language, and at the other time he heard him read the communion service, but could not understand one half of what he so read, neither doth he believe one tenth part of the congregations at those times understood more of it than the respondent; that at another time the said doctor Bowles preached a sermon as he believes, for he saw him in the pulpit, and heard him talk or read something, but cannot tell in what language he preached or read, as the respondent did not understand one word he said, but has been informed it was the English language; that he cannot tell the particular days on which these circumstances happened, or whether they so happened on the 30th of October, one thousand seven hundred and sixty-eight, the 2d of April, one thousand seven hundred and sixty-nine, or at what other periods of time.

To the ninth, That he was present when the child of Robert and Ann Tyrer was christened in the Welsh language, in the parish church of Trefdraeth aforesaid, by the curate of that parish; that he doth not know any thing of doctor Bowles's having baptized such child, nor in what language it was baptized.

To the eleventh, That he knows nothing of the signatures to the paper writing marked A; that he cannot read or write, and therefore is unable to judge of the handwriting or subscriptions of the said paper; that Hugh Williams hath often told the respondent he was fraudulently induced to sign his name to a sheet of white paper, by doctor Bowles, and that the doctor had afterwards wrote a certificate above his name, signifying, that he (the doctor) had performed divine service in the parish church of Trefdraeth, in the Welsh language, with propriety, and the respondent hath also been informed that the said Hugh Williams hath made an affidavit of the abovementioned circumstances.

To the twelfth, That he doth not know at whose expence in particular this cause or prosecution is carried on against doctor Bowles, nor whether it be carried on by the society of Cymmrodorions; that he hath heard Richard Morris, Esq; the interpreter on this occasion, is one of the members of that society; that he hath also been informed, many of the gentlemen in Wales, particularly Sir Watkin Williams Wynn, baronet, give their assistance in this cause, but in what manner he doth not know, that he, the respondent, is not a member of the Cymmrodorion

rodorion society, nor is he under any promise or engagement to pay any part of the expence of this cause, and farther to the said articles or interrogatories he cannot answer.

The same day, repeated and acknowledged before
Dr. Ducarel, Surrogate ;
Present James Hefeltine, Notary Public,
by the interpretation of Richard Morris.

The mark of HENRY H. I. JONES.

14th MAY, 1770.

The Office of the Judge promoted by Williams and others against Bowles.	} On the Articles aforesaid, given by Bargrave.
BARGRAVE. STEVENS.	

JOHN ROBERTS, of the parish of Trefdraeth, in the county of Anglesea, farmer, aged forty years and upwards, a witness produced, sworn and examined, by the interpretation of Richard Morris, Esq; who has been duly sworn to interpret faithfully.

To the first, second and third articles, of the said articles, heretofore given in and admitted in this cause, on the part and behalf of Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters of the office of the judge in this cause, this deponent saith, That with respect to the articles of religion and acts of parliament, in the said first, second and third articles mentioned, he refers himself to the laws in that behalf provided, and farther he cannot depose.

To the fourth, sixth and seventh articles, he saith, That he hath been an inhabitant and parishioner of the parish of Trefdraeth from his infancy, that he knows the several promoters before-mentioned, and hath known them for many years; that he knows the reverend Thomas Bowles, doctor in divinity, the other party in this cause; that he hath known him about three or four years past, from the time he was appointed rector of the rectory and parish church of Trefdraeth aforesaid, as successor to the reverend Robert Lewis, Clerk, deceased, the last incumbent of the

D

said

saïd rectory; that the saïd Thomas Bowles was as he believes, carefully inducted into the real, actual, and corporal possession of the saïd rectory of the parish and parish-church of Trefdraeth aforesaid, with all and singular the rights, members and appurtenances thereunto belonging, and hath ever since been in possession thereof, and held and enjoyed, and doth now hold and enjoy the same, and hath from time to time received, and doth now continue to receive the fruits, tythes, profits and emoluments of and belonging to the saïd rectory and parish church; and for and as rector of the saïd rectory and parish church of Trefdraeth, he, the saïd Thomas Bowles, hath ever since been, and now is commonly accounted, reputed and deemed by the parishioners and other inhabitants of the saïd parish, to which rectory he hath been informed and believes, the saïd Thomas Bowles was promoted by the bishop of Bangor; and the deponent hath ever since paid him tythes as rector of the saïd rectory and parish church of Trefdraeth; and farther he cannot depose.

To the eighth, ninth and tenth articles, this deponent saith, That he believes the reverend Thomas Bowles, the rector of the saïd rectory of Trefdraeth, hath never performed divine service more than two or three times in the saïd church, that the first time of his so performing divine service the deponent was present, and such service being performed in the English language, the deponent could not understand one single word thereof; that he was informed the saïd Thomas Bowles read the articles of religion in the English language the same Sunday, but cannot say with certainty what language they were read in, as he did not understand one word he said; that the second and only other time the deponent ever heard or saw the saïd Thomas Bowles, in the saïd church, performing divine service, he attempted to read some of the psalms in the Welsh language, but the deponent could only understand a very few of the words he made use of; and the same day, he, the saïd Thomas Bowles, attempted to give the text to his sermon in Welsh, but the deponent could not understand what he said; and he then preached a sermon in the English language, totally unintelligible to the deponent, and the whole or much the greatest part of the congregation, as he believes, amounting to about two hundred souls; for about the beginning of his discourse, one Hugh Morris, then present, rose up and said in the Welsh language, in a loud voice, *You may all as well come out, for you cannot understand any thing that is said here*; and immediately the saïd Hugh Morris and many other people quitted the church; that one day, whether Sunday or other festival he cannot say, the saïd reverend Thomas Bowles attempted to administer the sacrament to a great number of the congregation that day present, of whom the deponent was one; that he gave the cup to about five or six, in the doing of which the deponent understood a few words, but the saïd doctor Bowles was soon so much at a loss for words, that he could not proceed, and was obliged

obliged to desist, or give up the attempt; at which many of the people present laughed, and ridiculed him for his attempt; that the deponent never, before the appointment of the said Thomas Bowles, had heard divine service attempted to be performed in any other language or tongue than the British or Welsh tongue; and that there is not any other tongue or language commonly spoken or used within the said parish; that he, the deponent, cannot speak or understand one word of any other tongue or language; and that he verily and in his conscience believes the said Thomas Bowles is totally unable to perform divine service in the said British or Welsh tongue; that the deponent was once present with the said Thomas Bowles, and Mrs. Bowles his wife, who speaks the Welsh language, talking about the church service, when Mrs. Bowles told the deponent, that her husband, the doctor, meant to perform divine service himself at Trefdraeth, to save the expence of hiring a curate, and that he would hire a curate for the parish of Llangwyfan, which is annexed thereto; that he doth verily and in his conscience believe, there is not any one person in the parish, besides Charles Evans, Esq; and his family, and another woman, who understands the English language, so as to comprehend the meaning of any discourse whatsoever delivered in that language; and also, that he verily believes the said parish of Trefdraeth contains about three hundred and fifty or sixty souls, and the parish of Llangwyfan about one hundred and fifty; and that he also believes the promoters do not any of them understand the English language, and farther he cannot depose.

The same witness, upon interrogatories administered on behalf of the reverend Thomas Bowles, doctor in divinity.

To the first, That he is forty years of age; that he is a parishioner and inhabitant of the parish of Trefdraeth, in the county of Anglesea, and hath been a parishioner of the said parish from his infancy.

To the second, That he knows Hugh Williams, Rowland Pritchard, Hugh Owens, the promoters in this cause; that he hath known them for many years; that Hugh Williams and Rowland Pritchard were church-wardens of the parish of Trefdraeth, for some part of the year one thousand seven hundred and sixty-eight, and one thousand seven hundred and sixty-nine, that they each served the office two years, and Pritchard went out at Easter one thousand seven hundred and sixty-nine, and Williams is out about the present time; that Hugh Owens and John Owens were, as he believes, church-wardens of Llangwyfan, which is a parish annexed to the said parish of Trefdraeth, in the said years, or some part thereof, but what particular part he cannot say.

To the third, That the said promoters in this cause are, as he thinks, voluntary promoters thereof, that he never heard any thing to the contrary; that he doth not believe they are instigated thereto by Charles Evans, Esq; that the said Charles Evans is a parishioner of Trefdraeth aforesaid; that he believes the said doctor Bowles may have had some difference with the said Charles Evans touching his tythes, but is not certain.

To the fourth, That he knows doctor Thomas Bowles, the rector of Trefdraeth aforesaid; that he hath known him since the time he was appointed rector of the said parish, which was about three or four years ago; that he hath been informed the said doctor Bowles is upwards of seventy years of age; that he is a hearty strong man of his age; that he some time since fell from a horse, and declared he would not ride any more, and believes he has not been on horseback since.

To the fifth, That the parish of Trefdraeth is a large, extensive and populous parish; that he knows of no chapelries within such parish, except Llangwyfan be called a chapelry; that the parsonage-house of Trefdraeth is about five miles distant from the church of Llangwyfan, which is annexed to the said parish of Trefdraeth, and that the said parsonage-house is also about a mile distant from Trefdraeth church.

To the sixth, That there are not any of the parishioners or inhabitants of Trefdraeth aforesaid, except the family of Charles Evans, Esq; consisting of about four or five people, and one Jane Hughes, who understand the English language, so as to be able to transact and do business in such language at markets, fairs, or on other occasions, as the respondent verily believes.

To the seventh, That he never heard, nor doth he believe the said doctor Bowles ever attempted to preach a sermon in the Welsh language; that he once heard the said doctor Bowles attempt to read some part of the psalms in the Welsh language, a few words of which the respondent understood, though not sufficient to comprehend the general meaning of what he said, and doth verily believe the far greater part of the congregation then present were in the same situation, but whether it was on the 30th of October, one thousand seven hundred and sixty-eight, or at what other time, he does not recollect.

To the eighth, That he never heard the said doctor Bowles attempt to perform any part of divine service in Welsh, except once, as by him set forth in his answer to the preceeding interrogatory, and cannot say whether it was on Sunday the 2d
of

of April, one thousand seven hundred and sixty-nine, or at what other time in particular.

To the ninth, That he was present at the parish church of Trefdraeth, when the curate of the said parish christened the son of Robert and Ann Tyrrer in the Welsh language; that he hath been informed doctor Bowles did something to the child at Tyrrer's house, previous to such christening, but what he so did, or in what language, the respondent cannot set forth.

To the tenth, That the church of Trefdraeth hath, during the time doctor Bowles hath been incumbent thereof, been supplied with a curate, who officiated in the Welsh language.

To the eleventh, That he cannot read or write, and therefore is unable to judge any thing relative to the signatures subscribed to the certificate marked A, annexed to the interrogatories now produced and shewn to him; that he hath heard of a certificate being signed by Hugh Williams, and Richard Williams his fellow-witness, which was, as he has been informed by the said parties, obtained by fraudulent means; that the said Richard Williams was induced to sign such certificate without knowing its contents; and Hugh Williams happening to have some business with doctor Bowles, the doctor asked him his name, and then produced a sheet of paper without any thing wrote upon it, and desired the said Hugh Williams to write down his name, in order that he might know it in future, for he was very forgetful, he said; that Hugh Williams accordingly wrote his name thereon, and delivered the paper to the doctor, who afterwards, as the said Hugh Williams also informed the respondent, wrote a certificate upon the same sheet of paper, above the name, that he the said doctor Bowles had performed divine service with propriety in the Welsh language; that upon Hugh Williams hearing what use was made of his name by doctor Bowles, he went and demanded the paper of the doctor, and on his refusing to deliver it up, they quarrelled very much, and Williams soon after made an affidavit of the circumstances before-mentioned.

To the twelfth, That he does not know, nor hath he heard, at whose expence this cause or prosecution is carried on against doctor Bowles; that he never heard, neither doth he believe, that the same is carried on at the expence of the society called Cymmrodorions; that he doth not know whether Richard Morris, Esq; the interpreter on this occasion, is a member of such society; that he, the respondent, is not a member thereof; that he is not under any promise or engagement to bear or pay any part of the expence of this cause, nor was he ever applied to
for

for that or any other similar purpose, and farther to the said interrogatories he cannot depose.

The same day, repeated and acknowledged before

Dr. Ducarel, Surrogate.

Present, James Hefeltine, Notary Public,

by the interpretation of Richard Morris.

The mark of

JOHN IR ROBERTS.

14th MAY, 1770.

The Office of the Judge promoted by
Williams and others against Bowies.

On the Articles aforesaid, given by
Bargrave as aforesaid.

BARGRAVE.

STEVENS.

WILLIAM GRIFFITHS, of the parish of Llangwyfan, in the county of Anglesea, farmer, aged forty-eight years and upwards, a witness produced, sworn and examined, by the interpretation of Richard Morris, Esq; who has also been duly sworn to interpret faithfully.

To the first, second and third articles, of the said articles, heretofore given in and admitted in this cause, on the part and behalf of Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters of the office of the judge in this cause, this deponent saith, That with respect to the articles of religion and acts of parliament therein pleaded, he refers to the laws in that behalf made and provided, and farther he cannot depose.

To the fourth, sixth, seventh, eighth, ninth and tenth articles, he saith, That he knows Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters in this cause, and hath known them many years; that he hath been a parishioner and inhabitant of the said parish of Llangwyfan from his infancy; that the said Hugh Owens and John Owens are church-wardens of the said parish; and that he believes Hugh Williams and Rowland Pritchard are, or lately were church-wardens of the said parish of Trefdraeth, adjoining to the said parish of Llangwyfan; that he knows the reverend Thomas Bowles, doctor in divinity, the other
party

party in this cause, and hath known him for about four years past, about which time he was appointed rector of the rectory and parish church of Trefdraeth aforesaid, and also rector of the rectory and parish church of Llangwyfan aforesaid, the said two parishes being always under the care and cure of one rector; that he believes such rectory of Trefdraeth and rectory of Llangwyfan, are in the gift of the bishop of Bangor, and that the said Thomas Bowles was lawfully inducted into the real, actual and corporal possession of the said rectories of the parishes and parish church of Trefdraeth and Llangwyfan, with all and singular the rights, members and appurtenances thereunto belonging, who hath ever since been in possession thereof, and held and enjoyed, and doth now hold and enjoy the same, and hath from time to time received, and doth now continue to receive the fruits, tythes, profits and emoluments thereof; and for and as rector of the said rectory of Trefdraeth, and rector of the said rectory of Llangwyfan, he, the said Thomas Bowles, hath been, and now is commonly accounted, reputed and taken by the parishioners and others; and this deponent farther saith, that the said Thomas Bowles did, as this deponent hath been informed, upon being appointed rector of the said rectory of Llangwyfan, or very soon after that period, go into the church there and take possession thereof, but never went to the said church on a Sunday, nor into the parish, as he believes, except to view the tythes and to set them out; that they have a curate appointed by the said Thomas Bowles, who officiates for him; that they have morning service only every other Sunday, and no evening service at all; that the service performed by the curate is in the Welsh language; that the tythes are paid by the parishioners to the said doctor Bowles's wife, who speaks the Welsh language; that there are about one hundred and forty or fifty souls in the parish, and that about seventy attend divine service; that he hath been informed the said Thomas Bowles cannot speak the Welsh language; that the British or Welsh language is the only tongue or language commonly spoke in the parishes of Trefdraeth and Llangwyfan aforesaid; that he doth not understand one word of English, nor doth he believe there are more than Charles Evans, Esq; his wife, and some of his family, who understand the English language in the said two parishes, though he believes there are in both near five hundred souls; that he doth not believe the promoters in this cause understand the English language, and farther he cannot depose.

The same witness, upon interrogatories admitted on behalf of doctor Bowles.

To the first interrogatory this respondent answers, That he is forty-eight years of age; that he is not a parishioner of Trefdraeth, in the county of Anglesea, but is a parishioner of Llangwyfan, which is annexed to the parish of Trefdraeth, and hath lived in that parish from his infancy.

To

To the second, That he knows Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters in this cause; that he hath known them for many years; that Rowland Pritchard and Hugh Williams were, as he hath been informed and believes, church-wardens of parish of Trefdraeth for some part of the years one thousand seven hundred and sixty-eight, and one thousand seven hundred and sixty-nine; and Hugh Owens and John Owens were, during the same time, as he believes, church-wardens of the parish of Llangwyfan; that John Owens went out of office about Easter, one thousand seven hundred and sixty-nine, and the said Hugh Owens is out of office about this time, and each church-warden holds the office two years.

To the third, That he doth not know whether the promoters in this cause are voluntary promoters thereof, neither doth he know whether Charles Evans, Esq, hath any concern therein; that the said Charles Evans is a parishioner and inhabitant of Trefdraeth aforesaid, but doth not know whether the said Charles Evans and doctor Bowles have had any difference about their tythes.

To the fourth, That he knows doctor Thomas Bowles, the rector of Trefdraeth aforesaid; that he hath known him from about the time he became rector of Trefdraeth aforesaid; that he hath heard the said doctor Bowles is upwards of seventy years of age; that he is a pretty strong man of his age, and can walk from the parsonage-house of Trefdraeth to church, which is about a mile distant, but doth not know whether he is able to ride on horseback or not.

To the fifth, That the parish of Trefdraeth is a large, extensive and populous parish; that he doth not know of any chapelry therein; that Llangwyfan is a parish annexed to Trefdraeth, and always held by the same rector; that divine service is only performed at Llangwyfan once every other Sunday in the morning, and no afternoon service; that the church of Llangwyfan is about four miles distant from the mother-church of Trefdraeth, and that the parsonage-house of Trefdraeth is about a mile from the said church.

To the sixth, That he knows great part of the parishioners and inhabitants of Trefdraeth aforesaid; that he doth not know of any of the inhabitants, except Charles Evans, Esq, and his family, who speak the English language, so as to be able to transact and do business therein at markets, fairs, or on other occasions.

To the seventh and eighth, That he never heard the said doctor Bowles, the rector of the said parish of Trefdraeth, officiate or perform divine service in the parish church of Trefdraeth, or in any other church or chapel, either in the Welsh or any other language.

To the ninth, That he was not present at the baptism of Robert and Ann Tyrer, in the parish of Trefdraeth, neither doth he know who performed the ceremony, or whether doctor Bowles performed the same, and in what language.

To the tenth, That he believes the church of Trefdraeth hath, during the time the said doctor Bowles hath been incumbent thereof, been constantly supplied with a curate, who hath officiated and performed divine service in the Welsh language, and the church of Llangwyfan hath also been supplied with a curate, who hath performed divine service in the Welsh language every other Sunday during the same time.

To the eleventh, That he never signed any certificate of the said doctor Thomas Bowles having officiated and performed divine service in the parish church of Trefdraeth, in the Welsh language; that he can neither read or write, nor doth he know any thing of the signatures or subscriptions to the certificate marked A, now shewn to him; that Hugh Williams informed the deponent, that he some time ago went to, his, the said doctor Bowles's house, about some business, and then the doctor told him, the said Hugh Williams, who is by trade a shoe-maker, that he should make his shoes for him, and desired Williams to write down his name upon a sheet of white paper, which the said doctor Bowles then produced, in order that he might know how to send or write to him properly in future; that Hugh Williams accordingly wrote his name thereupon, and delivered it to the said doctor Bowles, who afterwards wrote a certificate above such name, of his having performed divine service in the Welsh language with propriety, as he, the said Hugh Williams also informed the respondent.

To the twelfth, That he doth not know at whose expence this cause or prosecution is carried on against doctor Bowles, but hath heard, Sir Watkin Williams Wynn has promised to pay a part of it; that he doth not know whether the Cymmrodorion society have any concern therein; that he hath heard Richard Morris, Esq; the interpreter on this occasion, is a member of such society; that he, the respondent, is not a member thereof, nor is he under any promise or engagement, to bear or pay any part of this cause or prosecution; and farther to the said interrogatories he cannot answer.

The same day, repeated and acknowledged before

Dr. Ducarel, Surrogate;

Present, James Hefeltine, Notary Public,

by the interpretation of Richard Morris.

The mark + of
WILLIAM GRIFFITHS.

15th MAY, 1770.

The Office of the Judge promoted by
Williams and others against Bowles.

On the Articles aforesaid, given by
Bargrave.

BARGRAVE.

STEVENS.

WILLIAM JONES, of the parish of Trefdraeth, in the county of Anglesea, farmer, aged forty nine years and upwards, a witness produced, sworn and examined, by the interpretation of Richard Morris, Esq; who has been duly sworn to interpret faithfully.

To the first, second and third articles, of the said articles, heretofore given in and admitted in this cause, on the part and behalf of Hugh Williams, Rowland Pritchard, Hugh Owens, and John Owens, the promoters of the office of the judge in this cause, this deponent saith, That he refers to the law therein pleaded, and farther he cannot depose.

To the fourth, sixth and seventh articles, he saith, That he hath resided in the said parish of Trefdraeth, as a parishioner and inhabitant thereof, for upwards of seventeen years past; that he knows the said Hugh Williams and Rowland Pritchard very well; that the said Hugh Williams is one of the present church-wardens of the said parish, and that Rowland Pritchard was lately church-warden of the said parish; that he doth not know much of the said Hugh Owens and John Owens, as they reside in the parish of Llangwyfan, which is annexed to the parish of Trefdraeth aforesaid, and is a rectory always enjoyed with the rectory of Trefdraeth; that he knows the reverend Thomas Bowles, doctor in divinity, the other party in this cause, and first came to know him about four years ago, by his being appointed rector of the rectories and parish churches of Trefdraeth and Llangwyfan aforesaid; that he hath heard such rectories are in the gift of the bishop of Bangor, and that the late bishop of that diocese did confer the said rectories upon, him, the said Thomas Bowles, being then void by the death of the reverend Robert Lewis, Clerk, the last incumbent thereof; that the said Thomas Bowles was, as the deponent verily believes, duly and lawfully inducted into the real, actual and corporal possession of the said rectories of the parishes and parish churches of Trefdraeth and Llangwyfan aforesaid, with all and singular the rights, members and appurtenances thereunto belonging, and hath ever since been in possession thereof, and held and enjoyed, and doth now hold and enjoy the same, and hath from time to time received, and doth now continue to receive the fruits, tythes, profits and emoluments

emoluments of, and belonging to the said rectories and parish churches; and for and as rector thereof, he, the said Thomas Bowles, hath ever since been, and now is commonly accounted, reputed and taken by the parishioners and inhabitants of the said parishes; and the respondent hath, as rector thereof, constantly paid him tythes for his farm, and hath frequently taken or rented the tythes of other people's farms of, or from the said reverend Thomas Bowles, and farther he cannot depose.

To the eighth, ninth and tenth articles, this deponent saith, That he was twice present at church when the said Thomas Bowles attended to perform divine service, but whether he performed the same in English or what other language he cannot tell, but is certain it was not performed in the Welsh, as he did not understand one word the said Thomas Bowles said; that he was once present when the said Thomas Bowles attempted to administer the sacrament to such part of the congregation as chose to stay in the church after service for that purpose; that he gave wine to a few, but not being able to explain himself in the British or Welsh language, and the communicants not understanding one word of English, he, the said Thomas Bowles, was obliged to desist, or give up the ceremony without accomplishing it, which occasioned laughter among some, while others were very uneasy to see that solemn institution so much profaned; that the deponent never heard divine service either performed, or attempted to be performed, in any other than the British or Welsh language, before he heard the said Thomas Bowles perform it in a language totally unintelligible to him; that the British or Welsh tongue, and not any other tongue or language, is commonly spoken or used within the said parish of Trefdraeth or Llangwyfan; and that he doth verily believe, the said Thomas Bowles is utterly unable to perform divine service in the said British or Welsh tongue; that he doth verily believe, there are only Charles Evans, Esq; his family, and one Jane Hughes, in the whole parishes of Trefdraeth and Llangwyfan, who understand the English language sufficiently to comprehend the meaning of any discourse, though he believes some few people in the said parishes may understand a few particular words; that he, the deponent, doth not understand one word of the English language, neither doth he believe the promoters, or any of them understand the same; that divine service has, for some time past, been performed in the said parish church of Trefdraeth by a curate to the said doctor Bowles, in the British or Welsh language, as the said Thomas Bowles himself hath not attempted to perform divine service in the said parish church, in any language, for a considerable time past; and farther he cannot depose, save that he believes there are frequently upwards of three hundred souls attend divine service on a Sunday, in the said parish church of Trefdraeth aforesaid, and that he believes there are in the whole about three hundred and sixty souls in the said parish or upwards, and farther he cannot depose.

The same witness, upon interrogatories administered on behalf of doctor Thomas Bowles.

To the first interrogatory, this respondent answers, That he is forty-nine years of age; that he is a parishioner and inhabitant of Trefdraeth, in the county of Anglesea, and hath so been for upwards of seventeen years past.

To the second, That he knows Hugh Williams and Rowland Pritchard very well, and hath known them for many years; that they were late church-wardens of the said parish; that Rowland Pritchard was out of office about a year ago, and Hugh Williams is out of office about this time, and each church-warden continues in office for two years; that he doth not know much of Hugh Owens and John Owens; that they live in the parish of Llangwyfan, which is annexed to the said parish of Trefdraeth, and held by the same rector, but doth not know whether they are, or lately were, church-wardens of Llangwyfan aforesaid.

To the third, That he doth not know whether the promoters in this cause are voluntary promoters thereof, or whether they are instigated thereto by Charles Evans, Esq; that the said Charles Evans is a parishioner and inhabitant of Trefdraeth aforesaid; that he hath heard there has been some difference between the said Charles Evans, Esq; and doctor Bowles, relative to settling some tythes.

To the fourth, That he knows doctor Thomas Bowles, the rector of Trefdraeth aforesaid, and hath known him from the time he hath been rector thereof, which is about four years since; that he is about seventy-six years of age, as he hath been informed, and is a hearty strong man of his age, and can walk very well, though he cannot say whether he is able to ride or not.

To the fifth, That the parish of Trefdraeth is a large, extensive and populous parish; that he doth not know of any chapelries therein; that the parish of Llangwyfan is annexed thereto, and held by the same rector or incumbent; that the church of Llangwyfan is about five miles from the mother-church of Trefdraeth, and that the parsonage-house of Trefdraeth is about a mile from the parish church.

To the sixth, That there are only Charles Evans, Esq; and his family, with one Jane Hughes, in the parish of Trefdraeth, who understand the English language sufficiently to transact business at markets, fairs, or on other occasions therein, as he verily believes.

To the seventh and eighth, That he never heard the said doctor Bowles officiate or perform divine service in the Welsh language; that he was present once when the said doctor Bowles attempted to administer the sacrament in the Welsh language; that he gave the cup to a few, but was unable to proceed, and therefore gave it over, or desisted from the attempt, at which some of the people then present laughed, and others were very uneasy about it.

To the ninth, That he hath heard, that when Ann Tyrer, the wife of Robert Tyrer, was brought to bed, doctor Bowles sent to them to know if they would suffer him to baptize the child, to which they consented, rather than they would disoblige the doctor, though they did not like to have him; that he hath also been informed, the ceremony on that occasion was performed by doctor Bowles in the Welsh language, but the child was afterwards christened in the church by the curate.

To the tenth, That the parish church of Trefdraeth hath been constantly supplied with a curate, who hath officiated in the Welsh language during the incumbency of the said doctor Bowles.

To the eleventh, That he never signed a certificate of the said doctor Bowles's having officiated or performed divine service in the Welsh language; that he doth not know any thing of the signatures to the certificate marked A, now shewn to him, neither did he ever see Arthur Lewis, Hugh Williams, or Richard Williams, whose names are subscribed thereto, write or subscribe their names; that he hath frequently seen doctor Bowles write, and doth verily believe the said certificate marked A, is of the doctor's own hand-writing; and the respondent hath heard Hugh Williams say, that he once went to the doctor's house, by the doctor's direction, and at that time the doctor produced a sheet of paper, and desired Williams to sign or write his name thereupon, in order that he might know it in future; that Williams took the paper, and looked on both sides, but did not see any writing upon it, and then took a pen and was going to write his name at the top of the sheet, but doctor Bowles desired him to write it lower down, towards the side, and Williams wrote it as the doctor directed, and then gave him the paper; that the doctor afterwards wrote a certificate above such name, of his having performed divine service in the Welsh language, as the said Hugh Williams also informed the respondent.

To the twelfth, That he does not know at whose expence this cause or prosecution is carried on against doctor Bowles, nor whether it be carried on at the expence of the Cymmrodorion society; that he hath heard, Richard Morris, Esq;
the

the interpreter on this occasion, is a member of that society; that the respondent is not a member thereof, nor is he under any promise or engagement to bear or pay any part of the expence thereof, and farther to the said interrogatories he cannot answer.

The same day, repeated and acknowledged before

Dr. Ducarel, Surrogate;

Present, James Hefeltine, Notary Public,

by the interpretation of Richard Morris.

John Grene, Notary Public, Actuary assumed.

WILLIAM JONES.

The

The sayings and depositions of witnesses produced, admitted, sworn, and examined, on the several articles or positions of a certain allegation, given in and admitted on the part and behalf of the reverend Thomas Bowles, doctor in divinity, rector of the rectory of the parish church of Trefdraeth, in the county of Anglesea, diocese of Bangor, and province of Canterbury, in a certain cause of office promoted against the said doctor Bowles, by Hugh Williams, Robert Pritchard, Hugh Owens, and John Owens, now or late churchwardens of the said parish of Trefdraeth, as follows, (to wit)

5th NOVEMBER, 1772.

The Office of the Judge promoted by Williams and others against Bowles.		}	On the Allegations given by Stevens, dated the 12th June, 1770.
GOSTLING.	STEVENS.		

The reverend ARTHUR LEWIS, of Thenford, in the county of Northampton, Clerk, aged twenty-six years and upwards, a witness produced and sworn.

To the first article of the said allegation, this deponent saith, That he well knows the reverend Thomas Bowles, doctor in divinity, the producent, and hath known him for about seven or eight years past, and came to know him by means of being in Wales at different times upon visits to the deponent's mother, who is the wife of the said Thomas Bowles; that the said Thomas Bowles hath, during the whole time the deponent hath known him, been very infirm; and the deponent apprehends he may be about or near eighty years of age; that the parish church of Trefdraeth, of which the said Thomas Bowles is rector, is situated at about the distance of a mile and a half, as the deponent believes, from the rectorial house; that the chapelry of Llangwyfan is within the said parish of Trefdraeth, as the deponent hath heard and believes, but he was never at such chapel, and is therefore

fore unable to say at what distance it is situated from the rector's house of Trefdraeth aforesaid, and farther to the said article he cannot depose.

To the second and third articles, of the said allegation, this deponent saith, That the said Thomas Bowles, from the time of his being collated to the said rectory of Trefdraeth, hath, as the deponent hath been informed and believes, been unable to ride on horseback, owing to his great age and infirmities; and the deponent remembers, that about two or three years ago, but the time more particularly he cannot recollect, the said Thomas Bowles got on horseback, intending to take a ride out, but could not bear the fatigue, and he fell from his horse, and dislocated his shoulder, and otherwise much bruised himself; and the deponent hath heard him declare, that he could not ride on horseback; that since his collation to the said rectory, the deponent, once, about three or four years ago, attended the evening divine service at the parish church of Trefdraeth, when the said Thomas Bowles performed divine service, (except the lesson, which was read by the curate) in the Welsh language; that the deponent speaks and understands the Welsh, or Vernacular language of the principality of Wales, and is therefore certain, that the said Thomas Bowles did at that time perform divine service, as before-mentioned, in the Welsh language, in a proper, clear, and intelligible manner, and so as that the whole congregation might, and he believes did, clearly understand and comprehend what, he, the said Thomas Bowles was saying and reading; and the deponent hath many times heard the said Thomas Bowles read in the Welsh language at his own house, from whence also the deponent is convinced of his ability to perform divine service in that language; and the said Thomas Bowles hath constantly, since his collation to the said rectory, kept a curate, the reverend John Griffith, Clerk, a native of Wales, as the deponent believes, and one, who to the deponent's knowledge, is well skilled in the Welsh, or Vernacular language of the principality of Wales, and he verily believes, that the whole divine service hath been constantly, or at least generally used and said, either by the said Thomas Bowles, or his said curate, in the Welsh language, in the said parish church or chapel, at the times of divine worship there; and he also verily believes, that the said Thomas Bowles and the said John Griffith, his curate, have at all times paid proper attention to, and performed all the usual and necessary duties to be done and performed by them, as rector and curate of the said rectory of Trefdraeth, in the Welsh language; so that none of the parishioners or inhabitants of the said parish, have, at any time, during the incumbency of the said Thomas Bowles, been in want of a proper pastor, capable and ready to do, and perform all pastoral offices to them, as the respondent also verily and in his conscience believes; and farther to the said articles he cannot depose.

The same witness, upon interrogatories on behalf of Hugh Williams and others, the promoters of this cause.

To the first interrogatory the respondent answers, That he is not, nor ever hath been a parishioner and inhabitant of the parish of Trefdraeth, as interrogate; that he hath known and been acquainted with the reverend Thomas Bowles, doctor in divinity, party in this cause, for about seven or eight years past; that he is rector of the said rectory and parish church of Trefdraeth; that he is not certain, but supposes that the said doctor Bowles was, in or about the month of April, one thousand seven hundred and sixty-six, collated, instituted and inducted into the real, actual and corporal possession of the said rectory, with all its rights, members and appurtenances, and the said doctor hath ever since, and doth now hold and enjoy the same, and has received, and does, as the respondent believes, from time to time receive the fruits, tythes, profits and emoluments of the said rectory, and farther to the said interrogatory he cannot answer.

To the second he answers, That he doth not know, neither doth he believe that the said doctor Thomas Bowles is unable to perform divine service in the British or Welsh tongue, by reason of his being ignorant of and unacquainted with such tongue; that he cannot with any degree of certainty say how many, but believes there are only a very few of the parishioners and inhabitants of the said parish, who understand the English language, and farther he knows not to answer.

To the third he answers, That he believes the parish church of Trefdraeth may be about or upwards of a mile and a half from the rectory-house of the said parish; that he cannot say what distance the chapel of Llangwyfan, belonging to the said parish, is from the said rectory-house; that some parts of the roads from the said rectory-house to the said parish, and as he believes to the said chapel, are very bad, and other parts pretty good, but not the very best in the whole isle of Anglesea, except the turnpike roads as interrogate; that such roads are in general but in moderate condition, and though they may be very safe and passable for young people, he thinks they are dangerous for a very old infirm man to pass; that the said doctor Thomas Bowles is very infirm through old age, but believes he is in a tolerable good state of health, and can walk about a little, and perhaps with difficulty as far as the said parish church, but believes he has for several years past been unable to ride on horseback, though the respondent believes he is, and usually hath been able to be carried in an Irish car or wheel-carriage; that he believes the said doctor Bowles hath, in general, enjoyed a pretty good state of health since he became rector of the said parish, but cannot say whether he was more particularly healthy than usual for two years next after he became rector of the said parish, as interro-

gate; nor can he say whether for the space of two years or upwards after becoming rector of the said parish he usually rode on horseback, neither can he form any opinion how often the said doctor Bowles may have been prevented from the performing divine service in the said parish church or chapel, either by illness, the inclemency of the weather, or the badness of roads; that the respondent knows the said doctor Bowles hath frequently not done duty in the said parish church or chapel on Sundays or festivals, but does not think that such circumstance arose from an absolute inability to perform the same in the British or Welsh language; that the respondent once heard the said doctor Bowles perform the whole of the evening divine service (except the lesson) in the British or Welsh tongue, in the said parish church, and hath heard that he once or twice, or oftener, besides the time the respondent heard him as aforesaid, hath performed divine service in such church or chapel in the Welsh or British tongue, but he does not recollect the time he so heard the said doctor Bowles perform the same, though he remembers a paper was signed by one or both of the church-wardens of the said parish, and the respondent, within a day or two after such performance, certifying his having performed divine service in the Welsh language, to which paper, if the same should be exhibited in this cause, he refers in order to ascertain the particular time he heard the said doctor Bowles perform such service; that he does remember that the said doctor Bowles did, at the time he was so performing divine service in the British or Welsh tongue, in the respondent's presence, stop in the middle of such service, and he believes some part of the congregation might laugh thereat, but whether such stop was occasioned by his inability to proceed on account of not understanding the language sufficiently, or by what other cause, he cannot say, but the respondent does not think such attempt to perform divine service in the British or Welsh tongue, by any means burlesquing divine service, nor does he believe the doctor thought so himself, but cannot say what some of the auditors might think; that he believes the auditors who laughed, did it on account of his uncouth manner of pronouncing some of the words, rather than from their not understanding what the said doctor Bowles read, as the respondent very well understood what he read; that he doth not know, nor hath he ever heard, that any of the congregation quitted the church to avoid laughing, as interrogate; nor doth he know, nor hath he heard, neither hath he any reason to believe, that the said doctor Bowles hath declared or confessed to any person, that he found himself totally unable to perform the divine service in the British or Welsh tongue, nor can he farther answer.

To the fourth he answers, That he doth not know that the said doctor Bowles hath ever, during his said incumbency in the said rectory, performed the other functions of his duty as rector of the said parish, in the British or Welsh tongue,
nor

nor doth he know that he hath ever married, christned, churched, prayed with, or buried any person or persons in the British or Welsh tongue during his incumbency : that he cannot assign any reason for his not having performed such offices, other than that his curate usually does those offices, nor can he farther answer.

To the fifth he answers, That he believes he may have seen the said doctor Bowles attending divine service in the said parish church of Trefdraeth two or three times, or more, and believes the last time he saw him attending divine service there, was when he performed the same himself in manner before-mentioned, but is not certain as to this circumstance ; that he never saw the said doctor Bowles attending divine service in the chapel of Llangwyfan, the respondent having never been in such chapel, nor can he farther answer.

The same day, repeated and acknowledged before
 Doctor Ducarel, Surrogate ;
 Present, James Hefeltine, Notary Public,
 John Grene, Notary Public, Actuary assumed.

ARTHUR LEWIS.

5th NOVEMBER, 1772.

The Office of the Judge promoted by Williams and others against Bowles.	} On the Allegations given by Stevens, dated the 12th June, 1770.
GOSTLING. STEVENS.	

JOHN GRIFFITH, of Felynbach, in the parish of Llangristiolis, in the county of Anglesea, Clerk, aged thirty-five years and upwards, produced, sworn and examined, deposeth.

To the first position, this deponent doth believe, That the reverend doctor Bowles was, at the time of his collation, about the age of seventy-four years and upwards, as mentioned in the allegation, and that the parish church of Trefdraeth is about a mile and a half from the rector's house, and that the chapel of Llangwyfan is about four miles therefrom.

To the second position, this deponent says, That the road from the rector's house to Trefdraeth is very good, and that he verily believes that the said doctor Bowles

can walk from the rector's house to Trefdraeth, and that Llangwyfan is too far for the said Thomas Bowles to walk to; and this deponent verily believes that he could not travel on horseback from the said rector's house to Llangwyfan, but that the said doctor Bowles might have gone thither in his carriage, if he had been inclined so to do; this deponent also says, that the said doctor Bowles has, from the time of his collation, employed this deponent as his curate, who is a native of Wales, and well skilled in the Vernacular or Welsh language.

To the third position this deponent says, That the whole divine service has been constantly used and said by this deponent, except the day of the institution of the said Thomas Bowles, and the time the said Thomas Bowles mentions in his allegation to be desired to preach by Mrs. Evans, the wife of Charles Evans, Esq; which was in the English language, and positively says, that the said doctor Bowles never preached in the Welsh or Vernacular language; and this deponent also says, that on the Sunday mentioned in the allegation, that the said doctor Bowles attempted to assist this deponent in administering the sacrament, and that he gave the wine to two or three of the communicants, who, this deponent believes, did not understand him, as they laughed, upon which this deponent finished administering the wine to the other communicants; and says, that on the other Sunday mentioned in the allegation, the said doctor Bowles did, in the Welsh or Vernacular language, perform the second service as far as the Nicene Creed, and that this deponent understood most part of what was read in the Welsh or Vernacular language by the said doctor Bowles, but notwithstanding this deponent verily believes, that the said Thomas Bowles did not himself understand the Welsh language.

JOHN GRIFFITH, CLERK.

RICHARD OWEN, of the parish of Trefdraeth, in the county of Anglesea, labourer, aged twenty-two years and upwards, a witness produced, sworn and examined, deposeth

To the first position this deponent saith, That the parish church of Trefdraeth is about a mile and half from the rector's house, and that the chapel of Llangwyfan is about four miles therefrom.

To the second position this deponent says, That the said doctor Bowles is unable to go on horseback from the rector's house to Trefdraeth and Llangwyfan, or to
either

either of them, and that the road to Trefdraeth is tolerable good, but from the rector's house to Llangwyfan is very bad.

To the third position this deponent says, That about three years ago he heard the said doctor Bowles read some part of the evening prayers in the parish church of Trefdraeth, in the Welsh or Vernacular language, and that he perfectly understood him; and that he also heard the said Thomas Bowles baptize a son of Robert Tyrrer, one of his parishioners, in the house of the said Robert Tyrrer, and that the said Thomas Bowles performed that service in the Welsh or Vernacular language, and that he, this deponent, perfectly understood him.

The mark of
RICHARD † OWEN.

ROBERT TYRRER, of the parish of Trefdraeth, in the county of Anglesea, labourer, aged forty-seven years or thereabouts, produced, sworn and examined, deposeth.

To the first position this deponent says, That the parish church of Trefdraeth is about two miles distant from the rector's house, and that Llangwyfan is about four miles.

To the second position this deponent says, That the said doctor Bowles is unable to ride on horseback from his house to the parish church of Trefdraeth, or the chapel of Llangwyfan, and that the said road to Trefdraeth is an indifferent one, but he being a stranger knows nothing of the road to Llangwyfan.

To the third position this deponent says, That about the twenty-first day of July, which was in the year of our Lord one thousand seven hundred and sixty-nine, he heard the said doctor Bowles privately baptize, in the Welsh or Vernacular language, a son of this deponent's, and that he perfectly understood him.

The mark of
ROBERT † TYRRER.

On the first day of October, one thousand seven hundred and seventy-two, the said John Griffith, Richard Owen, and Robert Tyrrer, were repeated and acknowledged before me, (regular notice of executing the said, being first regularly given

to John Ellis, Clerk, one of the plaintiff's commissioners, as directed by the said commission.)

In the presence of
Richard Poole, Notary Public.

RICHARD RATHBONE, Clerk.

The Office of the Judge promoted by Williams and others against doctor Bowles.	}	On the Interrogatories administered by or on the part and behalf of the said Williams and others.
--	---	---

JOHN GRIFFITH, of Felynbach, in the county of Anglesea, Clerk, aged thirty-five years, a witness produced and sworn, and heretofore examined on the allegation given in and admitted in the said cause, on the part of the said doctor Bowles.

To the first interrogatory he answers, That he has been curate to the reverend doctor Bowles ever since he became rector of Trefdraeth, was acquainted with the reverend Robert Lewis, Clerk, late rector and incumbent of the said parish, preceeding the said doctor Bowles, he being his curate for several years before his death; says, that the said doctor Bowles in or about the month of April, one thousand seven hundred and sixty-six, was collated, instituted and inducted into the real, actual, and corporal possession of the said rectory of the parish and parish church of Trefdraeth aforesaid, with all the rights, members and appurtenances, and that the said doctor Bowles hath ever since held, and still holds and enjoys the same, and receives the rents, tythes and emoluments of the said rectory; and farther he cannot answer; and the witness was admonished as directed.

To the second he answers, That he doth believe that by the twenty-fifth article, of the articles agreed upon by the archbishops and bishops of both provinces, and the whole clergy in the convocation held at London, in the year one thousand five hundred and sixty-two, for the avoiding of diversities of opinions, and for establishing of consent touching true religion, it was, and is ordained as mentioned in the dotted part of the second interrogatory, produced to this deponent at this the time of his examination, and annexed hereunto, and farther he cannot answer; and the witness was admonished as directed.

To

To the third interrogatory he answers, That he verily believes that the said doctor Bowles is not capable of performing divine service in the Welsh tongue, he being unacquainted with the same; he, this deponent, understands both the English and the Welsh tongue, says, that the said parish of Trefdraeth contains about one hundred and sixty inhabitants, out of which there are but five that understand the English language, viz. Mr. and Mrs. Evans, of Trefeilir, their housekeeper, governess, and one man servant, and farther he cannot answer; and the witness was admonished as directed.

To the fourth interrogatory he answers and says, That the rectory-house of Trefdraeth is about a mile and half from the parish church of Trefdraeth, and that the chapel of Llangwyfan is about three or four miles distant therefrom, says the road from the rectory-house to the parish church of Trefdraeth is one of the best in the county of Anglesea, except the turnpike-road, and that it is a very safe and passable road, but that the road from the said rectory-house to the chapel of Llangwyfan is not so good, but a passable road; says that the said doctor Bowles enjoyed a good state of health for upwards of two years after he became rector of the said parish, and did ride on horseback, and was then, and now is a very good walker considering his age; says he verily believes that the said doctor Bowles has not been prevented from coming to church either by ill health, or the badness of the roads, except when he was ill at two different times, and that he verily believes that the true reason of the said doctor Bowles neglecting to perform the divine service in the said parish church or chapel, is owing to his absolute inability to perform the same in the British or Welsh language, by reason of his not understanding the same; says that the said doctor Bowles attempted to perform divine service in the parish church of Trefdraeth three different times, but never in the chapel of Llangwyfan, the particular times this deponent cannot set forth, and when he so attempted to perform the same, he was obliged to stop in the middle of the service, and that the congregation could not refrain from laughing, and that the said doctor Bowles by attempting to read did burlesque the divine service, and that it proceeded from the said doctor's ignorance of the said British or Welsh tongue, and his ludicrous manner of reading or pretending to read the same, so as to render his auditors incapable of understanding him, and obliging them to laugh; but this deponent says, that he does not know that any of the congregation left the church; says that he never heard that the doctor declared or confessed to any person, that he was totally unable to perform divine service in the British or Welsh tongue, and farther he cannot answer; and the witness was admonished as directed.

To the fifth interrogatory he answers and says, That he hath been informed that the said doctor Bowles once gave private baptism to a child of Robert Tyrer, at
the

the house of the said Robert Tyrer, in the British or Welsh language, but that he never did any other duty in the Welsh language within the said parish, as this deponent has been informed and verily believes, and the reason he did not perform any offices of his sacred function, is owing to his ignorance of the British or Welsh language, and farther he cannot answer; and the witness was admonished as directed.

To the sixth interrogatory answers, That he several times saw the said doctor Bowles attending divine service in the said parish church of Trefdraeth, when he lived at the rectory-house within the said parish, and that he never saw him attend divine service in the chapel of Llangwyfan; that when he saw the said doctor Bowles last attend divine service in the parish church of Trefdraeth, it was about two years since, and farther he cannot answer; and the witness was admonished as directed.

To the seventh interrogatory says, That the said doctor Bowles could not perform the functions of his office in the Welsh language, in case this deponent had been absent, and could not give that pastoral aid and comfort to his parishioners, or any of them, except those before-mentioned to understand the English language, and farther to the said articles he cannot answer; and the witness was admonished as directed.

JOHN GRIFFITH, Clerk.

Same day, the said John Griffith repeated and acknowledged his subscription to the above deposition, and all and singular the contents thereof to be true, before us	<table border="0"> <tr> <td data-bbox="916 1177 1170 1328"> <table border="0"> <tr> <td data-bbox="916 1177 931 1328">}</td> <td data-bbox="931 1177 1170 1328">Richard Rathbone, John Lewis,</td> </tr> </table> </td> <td data-bbox="1170 1177 1386 1328"> <table border="0"> <tr> <td data-bbox="1170 1177 1193 1328">}</td> <td data-bbox="1193 1177 1386 1328">Commissioners.</td> </tr> </table> </td> </tr> </table>	<table border="0"> <tr> <td data-bbox="916 1177 931 1328">}</td> <td data-bbox="931 1177 1170 1328">Richard Rathbone, John Lewis,</td> </tr> </table>	}	Richard Rathbone, John Lewis,	<table border="0"> <tr> <td data-bbox="1170 1177 1193 1328">}</td> <td data-bbox="1193 1177 1386 1328">Commissioners.</td> </tr> </table>	}	Commissioners.
<table border="0"> <tr> <td data-bbox="916 1177 931 1328">}</td> <td data-bbox="931 1177 1170 1328">Richard Rathbone, John Lewis,</td> </tr> </table>	}	Richard Rathbone, John Lewis,	<table border="0"> <tr> <td data-bbox="1170 1177 1193 1328">}</td> <td data-bbox="1193 1177 1386 1328">Commissioners.</td> </tr> </table>	}	Commissioners.		
}	Richard Rathbone, John Lewis,						
}	Commissioners.						

In the presence of
Richard Poole, Notary Public, and Actuary assumed.

The

At the Bull's-Head, Llangefny, January 18th, 1773:

The Office of the Judge promoted by Williams and others against doctor Bowles.	}	On the Interrogatories administered by or on the part and behalf of the said Williams and others.
---	---	---

RICHARD OWEN, of the parish of Trefdraeth, labourer, aged twenty two years and upwards, a witness produced and sworn, and heretofore examined on the allegation given in and admitted in the said cause, on the part and behalf of the said doctor Bowles.

To the first interrogatory he answers, That he lived with doctor Bowles in the parish of Trefdraeth for four years and upwards, says that the said doctor Bowles is rector of the parish and parish church of Trefdraeth, and the chapel of Llangwyfan, but did not know the said Robert Lewis in this interrogatory enquired after; does not know when the said doctor Bowles was collated, &c. into the real, actual possession of the said rectory of the said parish and parish church of Trefdraeth, but knows that he holds and enjoys the fruits, tythes, profits and emoluments of the same, and farther he cannot answer; and the witness was admonished as directed.

To the third interrogatory he answers, That he does not know whether the said doctor Bowles can read the whole service in the Welsh language; says that about last Michaelmas three years, he heard the said doctor Bowles read some part of the evening service in the Welsh language, which he understood; he does not know how many parishioners the parish of Trefdraeth contains; says that he verily believes there are some parishioners in the said parish, that understand the English language, but a small and a very inconsiderable number of the said parishioners, and farther he cannot answer; and the witness was admonished as directed.

To the fourth interrogatory he answers and says, That the rectory-house is about a mile and half from the parish church of Trefdraeth, and that the chapel of Llangwyfan is about four miles distant from the rectory-house, and that the road from the rectorial-house to the parish church of Trefdraeth is a tolerable good one, and that the road from the rectorial-house to the village of Aberfraw, is a pretty good one, but from thence to Llangwyfan, a very bad one; says that during the time this deponent lived with the said doctor Bowles, he enjoyed good health, except about a month, when he was ill of a fever, and that he is a tolerable good walker;

and believes that the said doctor Bowles was not perfect enough in the Welsh language to officiate or perform divine service, which is the reason for his neglecting to perform the same, but how often he attempted to perform, this deponent cannot set forth; says that he heard him once read some part of the evening service, and that Mr. Griffith, his curate, came and finished the service, and that some of the congregation laughed when the said doctor Bowles attempted to perform the same, and farther he cannot answer; and the witness was admonished as directed.

To the fifth interrogatory says, That he heard the said doctor Bowles privately baptize the son of Robert Tyrrer, at the house of the said Robert Tyrrer, in the Welsh language, and that he understood him, and that he, this deponent, named the child; and that he never heard him perform any other part of his function in the Welsh or British language, except part of the afternoon service as specified before, and farther he cannot answer; and the witness was admonished as directed.

To the sixth interrogatory says, That during the time he lived with him, the said doctor Bowles, he generally in the summer season went to attend divine service in the parish church of Trefdraeth, every other Sunday, (and sometimes not so often) but in the winter season very seldom, but never saw him go to the chapel of Llangwyfan; says that he believes it was about two years ago when the said doctor Bowles last attended divine service in the parish church of Trefdraeth, and farther he cannot answer; and the witness was admonished as directed.

To the seventh interrogatory answers, That he believes that the said doctor Bowles could not perform his functions of his office, in case his curate should be ill or absent, and farther he cannot answer; and the witness was admonished as directed.

The mark of
RICHARD † OWEN.

Same day, the said Richard Owen repeated and
acknowledged his subscription to the above }
deposition, and all and singular the contents } Richard Rathbone, }
thereof to be true, before us } John Lewis, } Commissioners.

In the presence of
Richard Poole, Notary Public, and Actuary assumed.

The

The Office of the Judge promoted by Williams and others against Bowles.	}	On the Interrogatories administered by or on the part and behalf of the said Williams and others.
---	---	---

ROBERT TYRRER, of the parish of Trefdraeth, in the county of Anglesea, labourer, aged forty-seven years or thereabouts, a witness produced and sworn, heretofore examined on the allegation given in and admitted in the said cause, on the part and behalf of the said doctor Bowles.

To the first interrogatory he answers, That he has been an inhabitant of the parish of Trefdraeth for upwards of twenty years, and has known doctor Bowles ever since he became the rector of the said parish and parish church, and that he knew the reverend Robert Lewis, Clerk, the last rector and incumbent, preceeding the said doctor Bowles; he does not remember when the said doctor Bowles was collated to the said rectory; says, that the said doctor Bowles, ever since his collation, is in possession of the tythes, fruits, and emoluments of the said parish; and farther he cannot answer; and the witness was admonished as directed.

To the third interrogatory he answers and says, That he does not know whether the said doctor Bowles can perform divine service in the Welsh language, he never hearing him attempting the same; says, that he heard some say, that he could read Welsh, and others, that he could not; but for his own part, does not know whether the said doctor Bowles can perform divine service in the Welsh language or not, but has often heard him read Welsh prayers in the rectorial-house, and he understood him; and farther he cannot answer; and the witness was admonished as directed.

To the fourth interrogatory he answers and says, That there is about two miles from the rectorial-house to the parish church of Trefdraeth, and about four miles from the said rectory-house, to the chapel of Llangwyfan; and there is a tolerable road from the said rectory-house to the parish church of Trefdraeth, but does not know in what state the road from the rectory-house to Llangwyfan is, as he has not been upon it many years; says, that the said doctor Bowles sometimes travels in an Irish car, but whether he did, (since he became rector of Trefdraeth) or now does enjoy a good state of health, does not know; and farther he cannot answer; and the witness was admonished as directed.

To the fifth interrogatory says, that he privately christened a child of this deponent, in his this deponent's house, in the Welsh language, and that he under-

stood him; says, that he has seen the said doctor Bowles several times in the parish church of Trefdraeth, but how often cannot set forth; says, that he has not seen the said doctor Bowles attend divine service in the said parish church of Trefdraeth, for this last year or upwards; and farther he cannot answer; and the witness was admonished as directed.

The mark of ROBERT + TYRRER.

Same day, the said Robert Tyrer repeated and
acknowledged his subscription to the above }
deposition, and all and singular the contents }
thereof, to be true, before us, } Richard Rathbone, }
John Lewis, } Commissioners.

Examined in the presence of
Richard Poole, Notary Public, Actuary assumed.
John Grene, Notary Public, Actuary assumed.

Doctor Bowles's certificate, marked A.

MEMORANDUM, That on Sunday the 30th day of October, one thousand seven hundred and sixty-eight, Thomas Bowles, doctor in divinity, rector of the parish and parish church of Trefdraeth, within the diocese of Bangor, and county of Anglesea, officiated and performed divine service in the said parish church of Trefdraeth, in the *Vernacular language* of Wales, with a *fluent and easy delivery*, and *a graceful propriety of accent and pronunciation*.

And this We attest, by setting our hands hereunto, and personally knowing the truth, the day and year above written.

Arthur Lewis, B. A. of Cichley, in Anglesea.
Hugh Williams, Ch. Warden.
Richard Williams.

It is again to be remembered, that on Sunday the 2d day of April, one thousand seven hundred and sixty-nine, Thomas Bowles, as above, officiated, &c. in the presence of Mr. Robert Edwards, and a numerous and crowded audience, the first Sunday after Easter.

T H E
A R G U M E N T S, &c.

At the Bull's-Head, Llangefny, January 18th, 1773.

Williams and others, Church-wardens
of Trefdraeth, against doctor Bowles,
rector of the said parish. } Court of Arches, Doctors Commons,
Trinity Term, 1773.

THE advocates for the church-wardens.] This is a suit instituted against doctor Bowles, rector of Trefdraeth, in Anglesea, for deprivation, on account of incapacity, by reason of the want of knowledge of the Welsh or British language; which language only is in common used and understood in that parish. The suit is brought into this court by letters of request from the chancellor of the diocese of Bangor.

The parties in this cause are the most proper to promote it, being the church-wardens, who are the guardians of the church. It is insinuated as an objection, that the society of Cymmrodorion, and Sir Watkin Williams Wynn, have advised and assisted in the prosecution of this suit. We admit it, and insist that it redounds much to their honour to step forth to remedy the growing evil.

This is a case of very considerable importance, that extends in its consequences to every Christian church. If the doctor should succeed in this cause, there will be an end of the Christian religion in that country. To preach or read in an unknown tongue, is worse than not to preach or read at all. It is, as St. Paul says, "Like sounding brass, or tinkling cymbals."

The act of Elizabeth was made, that the scriptures might be translated into the Welsh language, and that it might be used in their churches.

The British churches, before the Norman invasion, enjoyed an independance from the usurpations of the Roman see, when Austin the monk came over. The reformation.

reformation is to be considered as a restoration of our ancient ecclesiastical constitution.

It is clearly proved by the depositions, that doctor Bowles is entirely unacquainted with the Welsh language. Though it may be possible for doctor Bowles, or any other man, to read some words in it, as children are taught to read Latin or Greek, without understanding a word of what they say. Yet surely it will not be said, that it is a sufficient qualification for a minister. Is there no duty incumbent on a minister but to read? are not the visitation of the sick, and giving spiritual consolation, necessary duties incumbent on the clergy? Bishops are to see to the appointment of proper pastors to take care of the souls of the people. Though caution should be used when we speak of the pious prelates, yet it may be said, that the bishop who could make an appointment of such a pastor, would take no great care for the souls of the people; and it is * extraordinary, how he could answer to God and his conscience.

The words of the act are, " that the service shall be performed by minister *and* curate." Can that mean by the minister or curate? is the minister put in only to appoint a curate?

The curate is only an assistant, and is not appointed to do the whole duty for the rector. It is a meer matter of grace and favour, that he is permitted to have one. If a rector was to go to the bishop, and tell him, My Lord, I come to your lordship, to have the permission of keeping a curate. The bishop would ask, whether he was infirm? no. Is the duty too laborious? no. Why do you then want a curate? My Lord, (he would reply) I am not capable, they neither understand me, nor I them; your lordship has appointed me, who am an improper person, to do the duty, and I must have some one to do it for me: such would be the curious dialogue between the bishop and rector.

The complaint set forth by the church-wardens in this suit is, that doctor Bowles (who understands not Welsh) is promoted to be the rector of a parish, where nothing but the Welsh language is spoken and understood.

We have proved by our depositions two facts;

1st. That this is a parish where nothing but the Welsh language is spoken and understood.

2dly. That doctor Bowles does not understand that language.

* This appointment was made by doctor Egerton, the present bishop of Durham.

It is in proof, that there are five hundred souls in the parish, and that only five of them understand the English language.

We have the concurrent testimony of the witnesses on the part of doctor Bowles, as well as the church-wardens, particularly Mr. Griffiths, the curate, who is the best judge, and is produced by doctor Bowles as his witness, to the inability of doctor Bowles to perform divine service, and his ludicrous and burlesque attempts to do it, which excited laughter and ridicule. Mr. Arthur Lewis's (the doctor's son-in-law) evidence seems to be most in his favour, but if examined, will be found to be full of inconsistency and contradiction; for in one part of his deposition, he swears, he was *able* to perform divine service in the Welsh; and in another part, he says, he does not know whether his stopping in the middle of divine service was owing to *inability to perform the service*. He likewise says, that the congregation did laugh, which, he said, was owing to the *uncouth* manner in which he expressed the words. How is this reconcilable with the certificate signed by Mr. Arthur Lewis, "that the doctor performed divine service in the *Vernacular* tongue, with an *easy delivery*, and *graceful pronunciation*." The *evidentia rei*, from the manner of wording, and the circumstances attending this certificate, are conclusive proofs of its being obtained by forgery.

The word *Vernacular* is so uncommon, that few persons understand it even of the English common people, much less of the parishioners of Trefdraeth, where five *only* out of five hundred understood any thing of the English. The rest of this curious certificate is of the same kind of diction, written in the doctor's own hand. To this may be added, that this certificate is without a date. Independent of the evidence that proves it a forgery, the transaction speaks for itself: when the doctor found that this prosecution was commenced, he contrives to fabricate evidence, and prevails upon his servant Tyrrel privately, to christen his child; with which the parents were so dissatisfied, that they afterwards had it christened by the curate. He burlesqued divine service, profaned the ordinances, and manufactured this certificate so unartfully, that we here see verified,

Quos deus vult perdere, prius dementat.

The proposition that a person who understands not the language of a country, is incapable of holding a living in that country, is so big with good sense, (and what is good sense, is good law) that it is scarce possible to argue against it.

It was improperly said, upon a former occasion, that the canon law must be silent on this point, as by that the service was to be in Latin. The Latin crept in since the purity of the canon law, which ordains, that the service should be in the language commonly understood.

Decretal.

Decretal. Gregor. 9. lib. 1. tit. 31. c. 14. (Innocentius III. an. 1215.) " Quoni-
 " niam in plerisque partibus intra eandem civitatem atque diocesim permixti
 " sunt populi diversarum linguarum, habentes sub una fide varios ritus et mores ;
 " distincte præcipimus ut pontifices hujusmodi civitatum et diocesum pro-
 " videant viros idoneos, qui secundum diversitates rituum et linguarum divina illis
 " officia celebrent, et ecclesiastica sacramenta ministrent, instruendo eos verbo
 " pariter et exemplo."

Thus we see how the canon law in its purity ordained that they should provide
viros idoneos, who should officiate ; *secundum diversitates linguarum*, and instruct
 them *verbo pariter et exemplo*. Which in the present instance doctor Bowles has
 not ability to perform.

Agreeable to this is the law in France, which we all know to be a popish
 country.

Hericourt, 230. 47. " All incumbents ought to have knowledge proportioned
 " to the duties of their benefices. A person cannot be provided of a benefice,
 " with cure of souls, who does not understand and speak the language of the
 " country, where the cure is to be served."

By common law, the doctor must likewise be disabled from holding the living.
 " For every man by common law must be qualified for the office which he holds,"
 (Brookes, bb; pat; 268.) And it is held in lord Coke's Commentaries on Lit-
 tleton, p. 3. " That a man that is inexpert to hold an office, and hath no skill, is
 " disabled by law, and cannot hold the same."

In the great case of commendams, (which we all know) in Hob. Rep. Colt
 and Glover, " It is laid down, that it is the essence of the pastor to be didacticus,
 " and the question is not, whether he can keep a curate, for it must radically rest
 " in the first grantee."

The doctor is likewise unqualified by the statute law. In the reign of Edward
 the Sixth, there were many different services in the church of England, as the
 service of Sarum, &c. By act of parliament the same is directed to be used in all
 the churches in this kingdom.

The legislature finding that there was one part of the kingdom that did not
 understand the language used in the other, enacted, that the scriptures should be
 translated into that language, and the service used in that tongue, (5th Elizabeth,
 13, 14th chapters.)

We

We may admit, that it would be to the advantage of the country, if the Welsh language was entirely to be abolished, and only one language to be used in every part of the kingdom. But this is not the method of doing it, neither will it attain that end.

It is held in Albany's case, (reported in Crooke and Leonard) that a want of knowledge of that language was a good cause of refusal in the bishop. If the bishop might have refused him, it follows, that he ought to have refused him. Shall the tortious act of the bishop in admitting him, prevent us from having a remedy? If he is an unqualified person, he ought to be deprived. The law says, that the institution and induction are not merely void, but voidable. If a layman is presented, he is a parson, *de facto*, though not *de jure*. Institution and induction does not make him irremovable: Godolphin's Report, c. 17. Of deprivation. (2) " Causes of deprivation may be reduced to these heads, illiterature or inability for discharge of that sacred function, &c. (7.) As in admission of a clerk to a benefice, whatever is a legal impediment, will also be a sufficient cause of deprivation, &c."

The keeping a curate for an incumbent that is resident, is a mere act of grace; he is not obliged to do it, and it appears by the depositions in this case, that the doctor proposed to turn the curate off, and do the whole duty himself.

By the act he ought to qualify himself by reading the articles, &c. in the church, under the penalty of being deprived, *ipso facto*: which in the present case ought to have been in the Welsh language. The reading is intended by the act, to satisfy the parishioners that he is a proper person to be their pastor to take care of their souls, which cannot be done unless he reads in the Welsh language.

We pray therefore, for these reasons, that you will pass sentence of deprivation upon doctor Bowles.

The advocates for the defendant doctor Bowles.] We shall not controvert the principle laid down by the gentlemen on the other side, That it is unlawful to preach in an unknown tongue. It is so; and it is too clear to be disputed. We lay it down, and it is admitted by them, that it is for the interest of the principality that the English language should prevail in that country.

It is agreed on all sides, that doctor Bowles is the complete incumbent; there is no imputation against his learning or morals; he has a respectable and immaculate character: the gentlemen cannot be in earnest when they say, that he has not properly qualified himself to hold the living according to the statute, by reading the service in the English language and not in the Welsh. If he is not properly qualified, he becomes *ipso facto* deprived by the statute, and any one may apply to the lord chancellor for the living. The gentlemen therefore cannot be serious when they mention that as part of their case, as it is not set forth in their articles, and the living would not have been voidable, but *ipso facto* void.

There are two points in this case.

1st. That doctor Bowles is not ignorant of the Welsh language.

2dly. That if he is ignorant, he is now legally in full possession, and cannot be deprived.

There is a previous question before we enter upon either of these points: Whether they do not come too late? They might have entered a caveat before he was complete incumbent. I know that lord Hobart says, that they might come afterwards. But there is no case upon it. In doctor Jones's case a consultation was denied. But I do not dispute the jurisdiction of this court. Though the books hold that this court has the power of deprivation, yet I know of no instance where a clergyman has been turned out for insufficiency. After a plenarty of six months, the party ought not to be deprived. There must be a time of limitation, which has run in this case, for the suit was not commenced till near three years after his induction.

It is incumbent on them to shew doctor Bowles's total ignorance of the Welsh language. He may understand the language without being able to pronounce it properly. No foreigner can be acquainted with the accent of the country. A Scotsman in this country would occasion ridicule, though he understood the language. And the very numerous progeny of *Sir Hugh Evans* that have livings in England, do not always speak with the greatest propriety; they would think it hard on that account to be deprived of them. We will not abide by the certificate*. It is couched in too strong terms. The doctor thought too favorably of himself.

* One of the doctor's advocates insisted on the validity of the certificate, and that the evidence to prove the manner in which it was obtained was inadmissible, being hear-say. Which was properly answered, by saying, That it was the best of which the nature of the case would admit, and that as it came out on their examination, it must be admitted as against them.

IId. Point. Though the doctor does not understand the language, he is in possession, and cannot be turned out.

Wales is a conquered country, it is proper to introduce the English language, and it is the duty of the bishops to endeavor to promote the English, in order to introduce the language. The service was in latin before the reformation, which was in Henry the VIIIth time. How did they fare in Wales from the time of Henry the VIIIth to the time of queen Elizabeth, when the act passed for translating the scriptures into the Welsh language? It has always been the policy of the legislature to introduce the English language into Wales. We never heard of an act of parliament in Welsh. Mr. Barrington never heard of such an act. The English language is, by act of parliament, to be used in all the courts of judicature in Wales; and an English Bible to be kept in all the churches in Wales, that by comparison of that with the Welsh, they may the sooner attain to the knowledge of the English.

The act that requires the service shall be performed by ministers and curates in the Welsh, means, by ministers where there are no curates, and by curates where the ministers do not attend. Dr. Bowles has perfectly complied with the act, in appointing Mr. Griffiths, the curate, who has regularly performed the duty.

The citation from the canon law, quoted by the gentlemen of the other side, is most apposite for us: viz. That where there are persons that speak different languages, the *pontifex civitatis* shall appoint *viros idoneos* who shall understand their language. That is precisely the case here; the *pontifex civitatis* means the rector, (doctor Bowles), who is to appoint the *vicarium*, or *virum idoneum* (Mr. Griffiths) who is acquainted with the language of the country, and instructs them *verbo pariter et exemplo*.

By this suit a heavy penalty is prayed against doctor Bowles, to deprive him of his freehold. You will pronounce no such sentence without the clearest proof of his inability. Articles of this kind being a criminal suit, are as strict as an indictment, and the allegation must be strictly proved.

They have grounded their allegations on the twenty-ninth article of religion. We would ask them, Whether Wales was in contemplation when that article was ordained? It was made *diverso intuitu*; and was no injunction to the people in Wales. In what language was the service in Wales, from the reformation to the time of queen Elizabeth? The act of parliament requires the same service to be used in English in the whole kingdom, under the penalty of six months imprisonment.

ment. And the article requires it to be in the language commonly understood. So that if the article was then complied with, they would be subject to six months imprisonment by the statute: And if they complied with the statute, they would be subject to deprivation by the article. In this case they ought to have proceeded in the courts of common law, as it is a criminal suit.

The service was in the Latin tongue in the Romish church long before the council of Trent, (Fleury's Ecclesiastical History.) In the decree of pope John to the bishop of Moravia, it is ordained, that the mass should be celebrated in Latin; and pope Gregory VIIIth's decree to Bohemia, to order them to celebrate mass in the Latin language.

In the time of the Romans we read in history, that the Britons became acquainted with the Latin language. They never had the service in the Welsh language before the reformation. The first English translation was by Wickliffe.

We admit, that total incapacity is a sufficient cause of deprivation, and it must be a total incapacity. It has been insisted on by the gentlemen on the other side, that a want of knowledge of the language is an incapacity, by the common law, to hold a living in this country. If it had been so, we should have found in the Reports many cases of that kind. Before the reformation, the church preferments in this country were principally in the possession of foreigners. Becket was the first archbishop of Canterbury that was a native of this country.

There is a very material difference between this case and Albany's: in that case the bishop, who was the proper judge of his competency, refused him; in this case he is collated by the bishop himself, and as he is adjudged by him to be a proper person, this court will not pass sentence of deprivation on him.

Albany's case was upon the presentment of a clerk to the church of Whittington, in Shropshire, they were then *Wallici homines Wallicam linguam loquentes et non aliam*; now, by the presentation of Englishmen, there is not a word of Welsh spoken there. It is the most effectual way to bring about so desirable a change. The confusion of languages at the tower of Babel, was revealed to us as a curse from heaven.

But in this case, the doctor is not totally ignorant of the Welsh language. For Mr. Arthur Lewis's evidence set forth, that he used it in his own house. And Mr. Richard Williams says that he understood him with a book; and it appears by

by the conversation between him and Hugh Williams, that he must have understood sufficient to converse with him.

Upon the whole, we hope that the society of Cymmrodion, who promoted this suit, will be convinced how groundless it was, and that they will, as men of honor, make him some satisfaction; if not otherwise, at least by recommending him to the bishop of Bangor to give him another living:—And that this court will dismiss these articles with full costs.

The advocates for the church-wardens in reply.] However ingenious the learned gentlemen's arguments are, we trust that the foundation still remains unshaken. If it is a desirable thing to introduce the English language into that country, this is not the mode of doing it, nor will the depriving them of Christianity be conducive to that end.

The proposition laid down, "That he cannot be turned out after institution and induction," is not true: they may be deprived at any length of time, if the incumbent is under a legal disability. (Doctor Sutton's case.) Upon a suit for deprivation for immorality in the rector, the court would not deprive him, where the immoral action complained of had been committed several years before, because after the lapse of so much time, it might be presumed that his morals were mended. It is objected to us, that this suit was not commenced till near three years after induction. Our indulgence ought not to be construed into a fault, we gave him all that time to learn the language, and finding there was no prospect of his ever attaining a knowledge of it, we were under the necessity of commencing this suit.

In this case the disability is utter, consequently by their own admission where the incapacity is total, he is subject to deprivation. (Degge's Parson's Counsellor, 99. 7.) "So if one be made a parson, vicar, &c. that is illiterate, and not able to perform his duty, &c. he may be deprived."

The twenty-ninth article, though it was not ordained particularly with a view to Wales, yet it is a general proposition which holds universally true, and which doctor Bowles must have subscribed.

The construction put by the other side on the decretal of pope Gregory, is more ingenious than substantial. *Pontifex civitatis* can never mean a rector, but a bishop, and *diocese* can never signify a parish; indeed *parochia* is sometimes used
for

for *dioceses*, but *dioceses* never for *parochia*. In the council of Trent it received its sanction, that the service should be solely in the Latin language, though in many places it might have been in Latin before.

It is objected, that we ought to go to the courts of common law. It is a proposition universally true, that unless there is a particular remedy pointed out by the statute, you must have recourse to those courts where the constitution has entrusted that power.

In Albany's case, the bishop, who was the proper judge, did refuse him. In this case the bishop collated him, and we are come here before the proper jurisdiction to revise the act of the bishop.

Nothing can be more subject to evidence, than a want of knowledge in the language, which must be obvious to every one's observation, and which in the present instance, our depositions sufficiently prove.

It is true, a man's freehold is sacred, and he ought not to be deprived of it without good evidence; yet, is the care of souls much more sacred? and as there is in this case sufficient evidence to prove his inability, we pray that the court may pass sentence of deprivation against doctor Bowles.

The judge of the court.] This is a cause of great importance and consequence to the principality of Wales.

It is proper that the bishops in Wales should take such order for the cure of souls, as to appoint pastors that are acquainted with the language of the country. It is the primitive law of the church, and is law at this time.

I am of opinion, that a want of knowledge of the Welsh language is a good cause of refusal in the bishop, and that he ought to refuse him if he be incompetent.

Sir Simon Degges lays it down as a good cause of refusal. (*Dr. Calvert. He says, that what is a good cause of refusal is a good cause of deprivation.*) *The judge.* That is the question. He ought to be examined before induction. It is a doubt with me, whether after induction and institution I can deprive him. For I have the evidence of the bishop and archdeacon that he is capable of officiating. The archdeacon

archdeacon might have refused induction, or the parishioners might have entered a caveat before induction or institution.

I do not know of any case, where a person has been deprived for want of literature after plenarty. No such case has been mentioned. It is a doubt with me, whether the acts are more than directory to the bishops. I observe in the 5th of Elizabeth, a penalty of forty pounds on the bishops for neglect of their duty.

I shall give no opinion whether he is liable to be deprived for incapacity, where there is a *total* incapacity. I cannot say that in the present case doctor Bowles is totally, I say, totally incapable.

This is in the nature of a criminal prosecution. It is *criminal* in the party to take such a living, when he is incapable. It is *criminal* in the bishop to collate him.

After complete incumbency, I will not deprive him for what is not sufficiently proved. There is no sufficient proof before me of his incapacity.

It is a sufficient cause of refusal that he is unacquainted with the Welsh language. I doubt whether after institution and induction, and complete possession, it is a sufficient cause of deprivation.

The inhabitants of Wales have great reason to complain of such presentations. And it is much to the honor of the bishops that they have not had reason to complain before this time.

I do not think it a sufficient answer that a curate is appointed who performs the duty, for there is a duty incumbent on the rector.

Upon this evidence I cannot deprive doctor Bowles, but there is no pretence of giving costs, as it is a new case of great consequence; and doctor Bowles appears before me in a very unfavorable light, on account of the manner of obtaining this certificate, which almost destroys the very end for which it was produced.

F I N I S.

